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CORRESPONDENCE

RELATING TO THE

FENIAN INVASION,

AND THE

REBELLION OF THE SOUTHERN STATES.

PRINTED BY ORDER OF PARLIAMENT.

OTTAWA:
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1869.

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RETURN

To an Address of the House of Commons, dated 26th April, 1869; For Copies of all Correspondence with the Imperial Government relating to the outlay incurred by Canada in Defence of the Frontier of the United States in 1863-4, and also arising out of the threatened Fenian Invasion subsequently, as constituting a claim for indemnity from the United States. *Also,*

For copies of all correspondence, Orders in Council, and documents relating to representations made by the Government of Canada relating to the Rebellion of the Southern States.

By Command.

HECTOR L. LANGEVIN,

Secretary of State

DEPARTMENT OF THE SECRETARY OF STATE,

Ottawa, 14th June, 1869.

PUBLIC ARCHIVES
OF CANADA

No. in Series.

CONTENTS.

—o—

	Page.
I.—Applications for Arms	1
II.—Recruiting in Canada	6
III.—Passports	27
IV.—Neutrality, and designs of Refugees	34
V.—Johnson's Island Affair	75
VI.—Lake Erie Outrage and B. G. Burley	80
VII.—Manufacture of "Greek Fire"	84
VIII.—The Steamer "Georgian"	87
IX.—Steamers "Pinero" and "Almandares"	97
X.—Schooners "Montreal" and "Saratoga"	104
XI.—Mr. McNab's Statements	109
XII.—Dr. Blackburn	112
XIII.—Peter Anderson	113
XIV.—Exportation of Coal	114
XV.—The St. Alban's Affair	117
XVI.—The Fenian Raids	139

BIBLIOTHÈQUE NATIONALE
NATIONAL LIBRARY

INDEX.

I.—Applications for Arms.

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Consul Wilkins to Sir E. Head.	
		1861. 21 April...	An agent sent from Chicago to Canada to buy arms.....	1
			Governor Morgan of New York to Sir E. Head.	
		1861. 22 April...	Introduces Hon. A. C. James, who is to apply to Government of Canada for Arms, and asks compliance with his application.....	1
			Sir E. Head to Mr. Wilkins.	
		1861. 25 April...	Arms of Militia prohibited by Statute from being taken out of Canada.....	2
			Sir E. Head to Governor Morgan.	
		1861. 25 April...	Regrets inability to comply with application for arms.....	2
			Sir E. Head to Lord Lyons.	
		1861. 26 April...	Sends copies of letters from Governor Morgan and Mr. Wilkins, and replies.....	3
		3 May....	Did not send telegram informing Consul at Boston that he could supply Arms on requisition through Minister at Washington.....	3
		10 May....	Acknowledging correspondence with Mr. Seward relative to applications for Arms.....	3
			Lord Lyons to Sir E. Head.	
		1861. 27 April...	Nothing ought to be done respecting applications for Arms without orders from England. Her Majesty's Government have not authorized him to apply for them to Colonial Governors. "They are far, indeed, from "having manifested a desire to take part in the strife. "They have, on the contrary, sought to avoid even the "appearance of anything which might be construed to "imply such a desire".....	3
		3 May....	Note from Mr. Seward, and reply, relative to applications for Arms.....	4
			The Duke of Newcastle to Sir E. Head.	
	191	1861. 25 May....	Approves of answers returned to applications for Arms....	5
	196	26 May....	Her Majesty's Government approve of Sir E. Head's conduct. "No arms or ammunition ought on any account "to be sold or lent to either of the contending parties."	5
			Sir E. Head to the Duke of Newcastle.	
	17	1861. 25 April...	Reports applications for Arms from United States, and his replies.....	6

II.—Recruiting in Canada.

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Lord Lyons to Sir E. Head.	
		1861. 25 Oct....	United States Secretary of War states, through Mr. Seward, that Lieut.-Col. Davies had three days' leave to visit Canada, but no authority to recruit.....	6
			Lord Lyons to Lord Monck.	
		1864. 8 Aug....	Her Majesty's Consul at Buffalo complains of practices of crimps in recruiting from Canada for United States army fraudulently. Little or no redress obtainable, as agents deny complainant's allegations, and United States Government acts upon reports of its own officers. Some applicants not British subjects: some enlist voluntarily: some in collusion with recruiting officers to get bounty and then a discharge as British subjects. Asks for proofs in a few individual cases, so as to secure from the United States Government a diminution of evil of the existing system of enticing and even kidnapping across the Frontier.....	6
			Lord Monck to Lord Lyons.	
		1864. 15 Aug....	Applications to Consul Donohue indicate a system of enticing Her Majesty's subjects into United States service. Some offenders detected, tried and punished. Practice attributable to large bounties of United States Government. Will investigate two cases submitted.....	6
		23 Aug....	Glad to learn that vigilance of Canadian Police has checked illegal proceedings.....	13
			Lord Lyons to Lord Monck.	
		17 Aug....	Further despatch from Consul Donohue about fraudulent recruiting.....	14
			Mr. Burnley to Lord Monck.	
		1864. 19 Sept....	Seamen complain to Her Majesty's Consul at Boston of boarding-house keepers at Quebec inducing them to enter United States army.....	14
			Lord Monck to Lord Lyons.	
		1864. 26 Sept....	Will send a lawyer to obtain sworn informations of seamen at Boston.....	15
			The Duke of Newcastle to Sir E. Head.	
26		1861. 28 Oct.....	Has received account of proceedings against Col. Rankin for violation of Foreign Enlistment Act, his application for leave of absence from Militia, and reply.....	16
			The Duke of Newcastle to Lord Monck.	
6		1861. 22 Nov....	Her Majesty's Government satisfied with explanation of Mr. Seward concerning recruiting at Hamilton.....	17

II.—Recruiting in Canada.—*Continued.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Mr Cardwell to Lord Monck.	
	66	1864. 5 Sept....	Steps taken to lead United States Government to repress illegal recruiting in Canada. Asks for Lord Monck's reply to Lord Lyons on same subject, and for any suggestions.....	18
	83	1 Nov....	Letters regarding nefarious practices of United States recruiting agents. Approves of steps taken by Governor General. Doubts not that Provincial Government will ask Legislature for amendment of law, if now ineffectual.	18
	88	10 Nov....	Enquiring what sentences were passed on men convicted of enticing.....	21
	95	5 Dec....	Complaint of seamen questionable, as they received bounty.	21
			Lord Monck to the Duke of Newcastle.	
	8	1864. 1 Feb....	Has sent all the information he has regarding recruiting for United States army in Canada.....	22
			Lord Monck to Mr. Cardwell.	
	131	1864. 5 Sept...	No evidence yet on which cases stated by Consul Donohue could be submitted to United States. Efforts used have proved a check.....	23
	134	23 Sept....	Copy of answer to Lord Lyons' despatch of August 7th...	24
	141	3 Oct....	A legal gentleman sent to take sworn depositions of memorialists to Consul at Boston. Enclosed report from Attorney General, C. E., shows other measures taken to defeat plans of kidnappers and decoyers.....	24
	147	10 Oct....	Two men convicted at Sherbrooke of enticing men into United States service.....	26
	180	30 Nov....	Dempsey (one of the two convicted) sentenced to two fines in the aggregate $450; Burns to six months' imprisonment.....	26
	208	28 Dec....	No additional statutory powers required for suppression of crimes such as those of Quebec Lodging-house keepers, as they have materially diminished.....	26
	66	1865. 2 March..	Attorney-General, C. E., reports proceedings against certain persons under provisions of Foreign Enlistment Act.	27

III—Passports.

			Her Majesty's Minister at Washington to Lord Monck.	
		1861. 28 Nov....	Has communicated with United States Government regarding inconvenience of Passports.....	27
		1862. 28 Jan.....	Passport regulations of Canada satisfactory to United States Government.....	28
		7 March..	Regulation requiring all persons departing from or arriving in the United States to procure Passports is rescinded...	29
		1865. 6 Feb....	Enclosing Passport Regulations.....	30

III.—Passports.—*Continued.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Lord Monck to Her Majesty's Minister at Washington.	
		1864. 18 Aug....	Form of Certificate to British subjects going to United States.....	32
			Lord Monck to Colonial Office.	
	15	1865. 13 Jan....	Stringent Passport Regulations of United States inconvenient.....	32
			Colonial Office to Lord Monck.	
	Circular....	1861. 27 Dec....	Arrangements by United States Government for counter-signature of Passport of British subjects.....	33
	31	1865. 25 Feb....	Her Majesty's Government lament inconvenience to Canada of United States Passport Regulations.....	33
	Circular....	2 June...	Notice that vessels whose passengers have not their Passports duly viséd will not be allowed to discharge.....	33

IV.—Designs of Confederate Refugees and Maintenance of Neutrality.

			Lord Lyons to Lord Monck.	
		1863. 30 Nov....	Letter of Mr. Seward respecting General Dix's fears of an attack from Canada. Canadian Government should prevent marauding expeditions	34
		1864. 13 Jan....	Note from Mr. Seward regarding Confederate gathering at Windsor.....	35
		2 June...	Mr. Seward reports, on authority of United States Consul at St. John, N. B., passage of unusual numbers of disloyal United States citizens through that city for Canada.	36
		9 Aug....	Mr. Seward reports hostile projects of Confederates in Canada, as given in letters from Military Officers in Michigan.....	37
		23 Nov....	Mr. Seward calls attention of Her Majesty's Government to hostile schemes of insurgents in Canada, as reported by Governor of Vermont.....	38
		30 Nov....	Mr. Seward sends General Dix's report of alleged military organization of Confederate refugees in Prince Edward County, C. W.....	39
			Mr. Burnley to Lord Monck.	
		1864. 5 Dec....	Memorial of W. A. Howard, on behalf of the people of Michigan, relative to their exposure to hostile proceedings from Canada.....	41
		14 Dec....	Mr. Seward gives letter of General Dix, showing imminent danger of invasion of United States from Canada.....	41
		21 Dec....	Mr. Seward transmits copy of letter to United States Minister Adams regarding intercepted correspondence of Confederates in Canada.....	42

IV.—Designs of Confederate Refugees, and Maintenance of Neutrality.—*Cont'd.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Mr. Burnley to Lord Monck.	
		1864. 22 Dec....	Mr. Seward gives information from United States Consul at Halifax of alleged information for seizing United States ships on the lakes and along the Atlantic and Pacific Coast	47
		24 Dec....	Mr. Seward states that the proceedings of the Governor General, relative to memorial of W. A. Howard, are highly appreciated by the United States Government	47
		26 Dec....	Mr. Seward is thankful for measures taken to prevent hostile attempts from Canada, and wishes the Governor General to be told "how highly he appreciated the efforts made "to induce a good understanding between the two Governments."	48
		1865. 1 Jan....	Mr. Seward assures His Excellency that the spirit manifested in making suggestions as to detention and punishment of violators of neutrality "is cordially appreciated by the United States Government."	49
		5 Jan....	Expresses the satisfaction of the United States Government on receiving order of the Governor General for stationing troops on the frontier	49
		7 Jan....	Mr. Seward thanks His Excellency for steps taken regarding alleged organization	50
		12 Jan....	Mr. Seward tenders thanks for Lord Monck's promise that Canadian Government will use every means to thwart plans of refugees at Halifax	50
		25 Jan....	Mr. Seward informs of intended depredations from Canada on Burlington and Whitehall, while Lake Champlain is frozen over	51
		9 Feb....	Mr. Seward informs of a projected retaliatory raid on Canada from Cape Vincent or some place near it	51
		16 Feb....	Mr. Seward thanks Lord Monck for Canadian Government's intention to use means for preventing contemplated raid upon Burlington and Whitehall	52
		25 Feb....	Mr. Seward gives further information regarding hostile plans at Halifax	53
			Lord Monck to Lord Lyons.	
		1864. 18 Aug....	Will try to ascertain truth of reports regarding plots of refugees in Canada against the lake cities of the United States, and to frustrate them	54
		30 Nov....	Alleged schemes of the so-called Confederates shall receive attention of Canadian Government	54
		6 Dec....	Will take steps to investigate accuracy of reports relative to alleged military organization and drilling of fugitives in Prince Edward County	54
			Lord Monck to Mr. Burnley.	
		1864. 17 Dec....	Canadian Government is alive to importance of frustrating hostile proceedings against United States from Canada. Stringent measures, both of a civil and military character, taken	55

IV.—Designs of Confederate Refugees, and Maintenance of Neutrality.—*Cont'd.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Lord Monck to Mr. Burnley.	
		1864. 20 Dec....	Detective Police force, under special stipendiary magistrates, organized to prevent apprehended hostile attempts against the United States. A strong force of volunteer militia also placed on frontier duty for same purpose.....	55
		26 Dec....	Transmits for information of United States Government Copy of a General Order issued on the occasion of sending troops to be stationed on the frontier.....	56
		26 Dec....	No traces discovered of alleged military organization of fugitives in Canada.....	56
		27 Dec....	Asks for information as to identity of writers of intercepted letters, with a view to indictment of persons implicated.	56
		28 Dec....	Canadian Government will use every means to frustrate plans of alleged organization at Halifax.....	56
		1865. 31 Jan.....	Canadian Government will try to detect and defeat plans against Burlington and Whitehall.....	57
		18 Feb....	Thanks for information of projected raid upon Canada, and for steps of United States to frustrate it.....	57
		4 March..	Canadian Government will prevent execution of plans said to be formed in Canada against United States.....	57
			Lord Monck to Sir F. Bruce.	
		1865. 22 April...	Forwards report of County Crown Attorney of Kingston relative to alleged organization of persons in western Canada for hostile incursions into the United States....	58
			The Duke of Newcastle to Lord Monck.	
	128	1863. 10 Dec....	Approves of steps taken to prevent invasion of United States by refugees in Canada.....	59
			Mr. Cardwell to Lord Monck.	
	94	1864. 3 Dec....	Violations of neutrality, in the use by Confederate officers of the soil of Canada as the scene of hostile preparations against the United States, very offensive to British Crown. Canadian law ought to be sufficient to punish for, suppress and prevent these border-raids. Suggests propriety of consulting advisers as to efficiency of existing law. If further legislation is needed, the increased powers might be limited to a definite term.....	59
	1	1865. 5 Jan....	Approves of answer to Lord Lyons regarding alleged Confederate organization.....	60
	44	8 March..	Approves of Act passed in Canada for prevention of outrages on the frontier, as affording most satisfactory proof of determination to perform obligations of neutrality....	60
	78	6 May....	Transmits copy of United States Proclamation for capture of evil disposed men.....	60
			Lord Monck to the Duke of Newcastle.	
	35	1864. 19 March..	Asks for gunboats on the lakes, as, by the Convention of 1817, the United States are precluded from maintaining an adequate force.....	61

	Page.
/.	
ary magistrates, ttempts against lunteer militia ose	55
s Government sion of sending	56
rganization of	56
of intercepted ns implicated. s to frustrate	56
	56
defeat plans	57
Canada, and	57
of plans said tes	57
of Kingston in western d States	58
nck.	
n of United	59
rate officers reparations to British t to punish Suggests y of exist- increased	59
leged Con-	60
on of out- tory proof rality	60
r capture	60
vention of aintaining	61

IV.—Designs of Confederate Refugees, and Maintenance of Neutrality.—*Cont'd.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Lord Monck to Mr. Cardwell.	
	182	1864. 25 Nov.	Enclosing documents proving manufacture of warlike stores at Guelph for arming Confederate vessel on the lakes, and thus compromising neutrality. In England both belligerents may purchase; in Canada the right to buy warlike stores is liable to abuse, hence hopes for approval of enclosed Proclamation forbidding their exportation	62
	199	17 Dec.	Transmits two Minutes of Council showing steps taken to prevent formation in Canada of plans hostile to United States, or calculated to compromise neutrality	64
	204	24 Dec.	In accordance with Mr. Cardwell's Despatch, No. 94, of the 3rd of December, will, on meeting of Parliament, propose a law to stop practices of Confederate refugees. Thinks that the acquisition of such powers, combined with additional means of enforcing neutrality laws on the lakes, will render their exercise, except in rare instances, unnecessary	66
	205	24 Dec.	Encloses Militia "General Order," on sending volunteer force to the frontier	67
	213	29 Dec.	Reports arrangements made regarding volunteers sent to the frontier	68
	49	1865. 9 Feb.	Sends copy of Act for prevention of outrages on the frontier	69
			Minutes of Executive Council.	
		1865. 24 March	Committee approve of recommendation of Minister of Militia, that frontier force should be retained at present rates of pay; but that the Companies now on service should be replaced on 1st of May by 21 new companies for three months	73
		27 June	Adoption of recommendation of Minister of Militia that on and from 3rd of July next, the Active Frontier Force be withdrawn; and that Frontier Police, under Col. Ermatinger, be reduced to a minimum	74
		27 July	Recommend discharge of Frontier Police, the Stipendiary Magistrates selecting not more than five of the most competent in the respective corps, to act as detectives, subject to discharge on a month's notice	74

V—Johnson's Island Affair.

			Lord Lyons to Lord Monck.	
		1863. 13 Nov.	Reports of projects of Confederate refugees in Canada. Has informed Mr. Seward of plot to liberate prisoners on Johnson's Island, seize steamers and attack Buffalo, perhaps also Ogdensburg. Mr. Seward thanks Lord Lyons "in the name of the President, for information conveyed in so just and liberal a spirit." Measures taken to frustrate plans. Hon. Preston King sent to confer with Governor General of Canada	75

V.—Johnson's Island Affair.—*Continued.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Lord Monck to the Duke of Newcastle.	
	113	1863. 19 Nov....	Plan of Southern refugees to attack some point of adjacent United States territory. Parties to assemble from different quarters on a trading steamer on Lake Erie, seize her, liberate Johnson Island prisoners, and attack Buffalo. Informed Lord Lyons by telegraph same evening, and took precautionary measures. Failure of the plot is openly attributed, by organ of the refugees in Canada, to premature disclosure. No British subject implicated in such designs.....	77
			The Duke of Newcastle to Lord Monck.	
	21	1864. 1 March..	Encloses letter from Mr. Adams to Earl Russell, forwarding copy of "Index" newspaper, with detail of Johnson Island scheme; and drawing attention to fact that Richmond Government sanctions the making of Canada a basis of attack.....	78

VI.—Lake Erie Outrage.

			Lord Monck to Mr. Burnley.	
		1864. 26 Sept....	Telegraphic orders to officers of justice for detection and arrest of persons concerned, if in Canada. Solicitor-General sent to Windsor to aid United States authorities. Regulars replaced there.....	81
			Lord Monck to Lord Lyons.	
		1864. 6 Dec....	Bennett G. Burley to be extradited on completion of proofs	81
			Lord Monck to Mr. Burnley.	
		1865. 31 Jan....	Warrant issued for extradition of Bennett G. Burley.....	82
			Mr. Burnley to Lord Monck.	
		1864. 1 Oct....	Mr. Seward begs "to express his thanks to Your Excellency "for the assistance tendered by you and the Canadian "Authorities towards the detection of the prisoners con-"cerned in the affair".....	82
		30 Nov....	Mr. Seward asks for extradition of Bennett G. Burley.....	82
			Lord Monck to Mr. Cardwell.	
145		1865. 3 Feb....	Telegraphic information to-day of Burley's surrender to United States officers.....	83
			Mr. Burnley to Mr. Seward.	
		1865. 15 March..	Burley's father fears his son will be tried for piracy, and not for the charge on which he was extradited—robbery. Her Majesty's Government would therefore "protest against "any attempt to change the grounds of accusation upon "which Burley was surrendered.".....	83

VI.—Lake Erie Outrage.—*Continued.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Mr. Seward to Mr. Burnley.	
		1865. 20 March..	Burley to be tried in courts of Ohio and Michigan for "robbery, and assault with intent to commit murder." Piracy is not triable by municipal laws of States. Still Mr. Seward is not prepared to admit principle of protest, were it contemplated (which it is not) to try Burley for piracy in United States Courts.....	84

VII.—Greek Fire.

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Mr. Burnley to Lord Monck.	
		1864. 14 Dec....	Information from Mr. Seward respecting manufacture, at Windsor, C. W., of "Greek Fire," to be used in firing cities by rebel emissaries.....	84
		1865. 2 Jan....	Lord Monck's despatch—26 December—has given Mr. Seward great satisfaction.....	86
		17 Jan....	Further letter from Mr. Seward, who is satisfied with action of Canadian Government.....	87
			Lord Monck to Mr. Burnley.	
		1864. 20 Dec....	Will cause immediate investigation, and endeavour to defeat the objects of Manufacturers.....	86
		26 Dec....	Attorney-General's letter, showing measures to obtain evidence.....	86

VIII.—Steamer "Georgian."

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Mr. Burnley to Lord Monck.	
		1864. 7 Nov....	Mr. Seward states, on authority of General Dix, that propeller "Georgian" is cruising on Canadian shore for piratical purposes against American Frontier.....	87
		11 Nov....	Particulars from General Peck at Buffalo, warranting suspicion.....	87
		12 Nov....	Mr. Seward forwards information from Vice-Consul at Montreal.....	88
		12 Dec....	Mr. Seward's reports movements of "Georgian," and other hostile proceedings.	
		1865. 1 Jan.....	Mr. Seward's expression of high appreciation entertained by the United States Government of friendly spirit manifested, and of judicious measures adopted to preserve neutrality of Canada.....	91
		22 Feb....	Mr. Thornton informs Mr. Seward of sale of "Georgian" to G. T. Denison	92
		16 March..	Mr. Seward expresses "the satisfaction with which the United States Government view the Governor General's prompt and friendly action.".....	93
			Lord Monck to Lord Lyons.	
		1864. 17 Nov....	"Georgian" closely searched at Sarnia by Canadian authorities, and nothing found to warrant her detention.....	93

VIII.—Steamer "Georgian."—*Continued.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Lord Monck to Lord Lyons.	
		1864. 28 Feb....	Was already aware of change in ownership: a close watch kept.....	93
			Lord Monck to Mr. Cardwell.	
	175	1864. 14 Nov....	Representations regarding "Georgian," and measures of Canadian Government.....	94
			Mr. Consul Potter to Lord Monck.	
		1865. 1 April...	Relative to preparation of "Georgian" for purposes hostile to United States, and to contemplated raid on Ogdensburg and Rochester.....	95
			Mr. Godley to Mr Potter.	
		1865. 3 April....	Steps taken by Canadian authorities to ensure utmost vigilance.....	95
			Sir John Michel to Mr. Cardwell.	
		1865. 16 Dec....	United States Government claims "Georgian" as property of late Confederate Government. Report of the position of case in Law Courts of Canada.....	96

IX.—"Pinero" and "Almandares" Steamboats at Montreal.

			Mr. Burnley to Lord Monck.	
		1864. 15 Dec....	Note from Mr. Seward respecting suspicions entertained of two steamers "Pinero" and "Almandares," building at Montreal.....	97
		1865. 7 Jan....	Mr. Seward is satisfied with the investigation ordered.....	98
		16 Feb....	Mr. Seward thanks Governor General for prompt attention to matter.....	99
		27 March..	Further letter of thanks from Mr. Seward.....	99
			Lord Monck to Mr. Burnley.	
		1864. 22 Dec....	Will cause strict investigation into circumstances mentioned in Mr. Burnley's despatch of 15th December.....	100
		1865. 24 Jan.....	Sends Report of Attorney-General, &c., relating to the ships.....	100
		28 Feb....	Report of Attorney-General and letter from Collector at Montreal.....	100
		10 May....	Report of Solicitor-General Langevin that Collector of Customs will grant clearance to "Pinero," in the absence of suspicious circumstances.....	100
			Mr. Cardwell to Lord Monck.	
	109	1865. 30 June...	On the information respecting the "Pinero" and "Almandares," no circumstances throw doubts on the *bona fide* character of the vessels.....	101

X.—Schooners "Montreal" and "Saratoga."

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Lord Lyons to Lord Monck.	
		1864. 13 March..	Note from Mr. Seward about suspicious schooners lying in Canadian waters.....	104
		30 March..	Mr. Seward thanks Lord Lyons for his "ready intervention" and requests him "to convey to His Excellency the "Governor General the grateful acknowledgments of "this Government for his prompt attention to its repre-"sentations.".....	106
		22 April...	Has communicated to Mr. Seward Lord Monck's despatch, transmitting copy of Col. Wily's report. He begs his "Lordship to convey to His Excellency the Governor "General the thanks of this Government for the friendly "alacrity with which he has investigated the matter"...	106
			Lord Monck to Lord Lyons.	
		1864. 18 March..	Will investigate at once accuracy of information regarding schooners.....	107
		31 March..	Confidential agent unable to find evidence to substantiate allegations.....	107
			Lord Monck to the Duke of Newcastle.	
	42	1864. 31 March..	Confidential agent reports statements made to Provost-Marshal of United States War Department, relative to piratical schooners, "not founded on fact." Still, wishes for a royal naval force on the lakes to prevent uneasiness when rumours such as the above arise. Attempts at piratical aggression ought to be provided for. One vessel on each lake would produce a good moral effect.....	107
			Mr. Cardwell to Lord Monck.	
	8	1864. 23 April...	Is glad to hear that report about suspicious schooners proves "to have been entirely erroneous." Will consider more important question of a small naval ship on each lake.....	108

XI.—Mr. McNab's Statement.

			Mr. Burnley to Lord Monck.	
		1865. 22 March..	Mr. Seward encloses communication from Mr. D. Campbell, of Richmond, C. W., regarding alleged projected raids from Canada into the United States.....	109
		8 April...	Mr. Seward acknowledges Lord Monck's despatch of March 23rd, and requests Mr. Burnley to convey to the Governor General an expression of his appreciation of his proceedings.....	110
			Lord Monck to Mr. Burnley.	
		1865. 28 March..	A special agent has been sent to Arnprior to investigate truth of McNab's statements.....	111

XI.—Mr. McNab's Statement.—*Continued.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Lord Monck to Mr. Burnley.	
		1865. 11 April...	Transmits reports of Officers, who, after enquiry, believe statements of McNab to be without foundation.....	111
			Sir F. Bruce to Lord Monck.	
		1865. 27 April...	Encloses letter of thanks from the Acting Secretary of State.....	111

XII—Dr. Blackburn.

			Lord Monck to Mr. Cardwell.	
	128	1865. 2 June...	Report of Solicitor-General, C. W., in case of Dr. Blackburn, charged with having conspired to transmit infected clothing into the United States; copies of depositions on which he was arrested, and proceedings before magistrate on examination.....	112
			Mr Cardwell to Lord Monck.	
	119	1865. 22 July....	Her Majesty's Government "are advised that Dr. Blackburn "is triable in Canada, though it is not apparent how he "can be indicted upon the same facts for breach of "neutrality laws".....	112
			Sir J. Michel to Mr. Cardwell.	
	10	1865. 27 Oct....	Dr. Blackburn bailed on his own recognizances, the available evidence being insufficient for successful prosecution.	113

XIII.—Peter Anderson.

			Lord Lyons to Lord Monck.	
		1863. 9 Nov....	Has recommended case of this prisoner of War to consideration of United States Government, he having been involuntarily drafted in the South.....	113
		2 Dec....	Application for release unsuccessful. Mr. Seward's reply enclosed.....	114

XIV.—Exportation of Coal.

			Lord Monck to the Duke of Newcastle.	
	37	1864. 28 March	Finance Minister's letter regarding restrictions placed by United States Government on exportation of live stock and anthracite coal; same sent to Lord Lyons, who failed to procure any exception in favor of Canada.....	114

XIV.—Exportation of Coal.—*Continued.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Lord Monck to Mr. Cardwell.	
	70	1864. 6 May....	Further despatch from Lord Lyons; also, Minute of Council proposing to prohibit exportation of coal from Canada, in case United States Government relax. Great inconvenience to manufacturers by want of anthracite. Awaits Imperial sanction to submit proposition, which is no breach of neutrality, and practically inoperative, as Canada has no export trade in coal.....	115
	117	22 Aug....	Remainder of correspondence enclosed: proposition accepted by United States Government.....	115
			Mr. Cardwell to Lord Monck.	
	26	1864. 10 June...	No objection to proposal being made to United States Government.....	116
	60	1 Sept....	Is pleased to hear of acceptance of proposal by the United States.....	116
			Lord Monck to Lord Lyons.	
		1864. 24 Nov....	Copy of Proclamation forbidding export of coal from Canada.....	117

XV.—St. Alban's Affair.

			Lord Monck to Mr. Cardwell.	
	162	1864. 27 Oct....	Reporting the information received of the outrage, and the steps taken by the Canadian authorities.....	117
	179	19 Nov....	Reporting names of raiders arrested.....	120
	196	15 Dec....	Reporting discharge of raiders by Mr. Coursol, and the issue of fresh warrants for the arrest.....	120
	206	24 Dec....	Reporting re-arrest of five of the raiders.....	121
	209	30 Dec....	Giving opinion of Crown Law Officer that raiders cannot be arrested for violation of neutrality laws.....	121
	214	31 Dec....	Respecting ulterior measures that will be taken by the Canadian Government in consequence of this outrage...	122
	Executive	Council, 19 Dec....	Proclamation offering a reward of $200 for arrest of the raiders.....	123
	9	1865. 7 Jan....	Reporting Judge Smith's decision, that he has no jurisdiction in the case of the raiders.....	123
	29	26 Jan....	Covering Minute of Council authorizing the refunding of money taken from the St. Alban's Bank.....	124
		23 Jan....	Minute of Council enclosed in the above.....	125
	50	10 Feb....	Covering copies of depositions taken before Judge Smith..	125
	56	21 Feb....	Covering the rest of the evidence taken before Judge Smith, with report of Attorney-General.....	125
	62	25 Feb....	With telegrams respecting prosecuting the raiders for breach of neutrality.....	126
	99	8 April...	Covering copy of Judge Smith's judgment, and reporting issue of warrant for re-arrest of raiders.....	126

XV.—St. Alban's Affair.—*Continued.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Lord Monck to Mr. Cardwell.	
		1865. 4 April.	Copy of a Minute of the Executive Council as to repayment of moneys taken from the St. Alban's banks	127
	107	21 April	Reporting proceedings against the raiders for conspiracy, before the Recorder of Toronto	128
	120	19 May	Copies of indictments against the raiders under Foreign Enlistment Act	128
			Mr. Cardwell to Lord Monck.	
	98	1864. 9 Dec.	Approving the action of Canadian Government in forbidding the exportation of warlike stores	129
	101	16 Dec.	Views of Her Majesty's Government as to raiders	129
	108	24 Dec.	Approving of Lord Monck's proceedings, as to evidence in St. Alban's raid	130
	4	1865. 11 Jan.	Expressing his satisfaction at re-arrest of raiders	130
	9	14 Jan.	Asking for information as to proceedings of raiders, and the truth of their allegations that their expedition was organized before entering Canada	130
	51	1 April	Her Majesty's Government are of opinion that raiders have violated Foreign Enlistment Act	131
	Executive	Council, 1865. 20 Jan.	Commission of enquiry to be appointed to investigate the conduct of Judge Coursol	131
			Lord Monck to Mr. Burnley.	
		1864. 26 Oct.	Calls attention to an Order issued by General Dix for the entry of United States troops into Canada in pursuit of raiders	132
		28 Oct.	Expresses satisfaction that the motives and conduct of the Canadian Government have been rightly appreciated by the President of the United States	134
		31 Oct.	Acknowledges application for extradition of raiders	134
		12 Nov.	Replying fully to despatch of the 7th November, and Mr. Seward's remarks on General Dix's order	134
		28 Nov.	Acknowledges amended application for extradition of raiders	135
		1865.	*Lord Monck to Sir F. Bruce.*	
		25 Sept.	Encloses copies of the several Minutes of Council under which the money was refunded to the St. Alban's banks.	136
			Mr. Burnley to Lord Monck.	
		1864. 23 Oct.	Note from Mr. Seward, thanking Canadian Government for active assistance afforded	136
		25 Oct.	Asking for extradition of raiders	137
		29 Oct.	do do do	137
		7 Nov.	Mr. Seward's answer to Lord Monck's representations respecting the orders issued by General Dix	138

XVI—The Fenian Raids.

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
		1865.	*Sir John Michel to Mr. Cardwell.*	
	14	10 Nov....	Nine companies of Volunteers called out as a precaution against hostile incursions from United States.....	139
		1866.	*Lord Monck to Mr. Cardwell.*	
	15	9 March..	10,000 Volunteer Militia called out for duty.....	139
	17	12 March..	With copy of orders issued, calling out 10,000 volunteers..	140
	43	1 June...	Reporting Fenian attack at Fort Erie.....	140
	45	4 June...	Fort Erie attack and measures adopted.....	140
	47	8 June...	Reporting additional particulars.....	141
	52	13 June...	Respecting Proclamation of the President of the United States.....	143
	53	14 June...	With reports of Military Officers on operations at Fort Erie and St. Armand	143
	54	14 June..	Respecting alleged entry of British troops on United States soil at St. Armand.....	145
	55	14 June...	Loyal conduct of Canadians resident in the United States..	146
	64	21 June...	Military arrangements necessary in view of possible invasions.....	146
	66	21 June...	Volunteer force increased to 35,000 men.....	147
	67	22 June...	Has applied to Admiral Hope for gunboats for the lakes..	147
	70	28 June...	With reports of Military Officers with regard to alleged entry of British troops on United States soil at St. Armand.....	148
		1866.	*Mr. Cardwell to Lord Monck.*	
	33	31 March..	Calling out 10,000 volunteers in consequence of threatened Fenian raids approved.....	148
	56	16 June...	Despatch reporting Fenian invasion at Fort-Erie acknowledged.....	148
	63	22 June...	Acknowledging despatch of 4th June, on the same subject.	149
	65	23 June...	Acknowledges despatch reporting that the 17th regiment had been sent from Halifax to Canada.....	149
	67	23 June...	Approves of measures for repelling Fenian attacks.....	149
	69	29 June...	In reply respecting the alleged entry of British troops on United States soil at St. Armand.....	149
			Lord Carnarvon to Lord Monck.	
	7	11 July....	Acknowledges Despatch No. 55 respecting patriotic conduct of Canadians resident in the United States.....	150
	Separate	14 July....	Acknowledges published reports of Military Officers.....	150
	18	4 August..	Appreciation of the behaviour of the Military and volunteers.....	150
		1867.	*The Duke of Buckingham to Lord Monck.*	
	16	5 April...	Is of opinion that no reduction of troops should at present be made in Canada or New Brunswick.....	151
		1865.	*Minutes of the Executive Council.*	
1	.....	7 March..	10,000 volunteer militia to be called out for active service.	152
2	.....	3 June...	The whole of the volunteer militia to be called out in defence of the Province.....	152
3	.....	12 July....	$6,939.18 to be placed on the Estimates to defray claims for losses by Fenian raid at Fort Erie.....	152

XVI—The Fenian Raids.—*Continued.*

No. in Series.	No. of Despatch.	Date.	Subject.	Page.
			Minutes of the Executive Council.	
4		1866. 13 August.	Volunteer camp to be formed in the Niagara District—estimated expense, $80,000	153
5		21 August.	Gratuities and Pensions in the cases of militia men killed or wounded in encountering hostile invasions	155
6		1867. 28 Feb.	Revised list of persons entitled to pensions and gratuities under Order in Council of 25th January	159
8		30 April.	Abstract of supplementary claims of volunteers for pension or compensation on account of illness, under Order in Council of 21st August, 1866	159
9		1868. 1 Feb.	$200 to be paid to Wm. H. Hurley for losses sustained by him on Indian Island (N.B)	164
10		13 March.	Naval force on the St. Lawrence and the lakes to be maintained this year, the same as last—on the Duke of Buckingham's despatch of the 22nd February	164
11		17 Sept.	Camp of 1,200 volunteers to be established on the Lower Canada frontier	6 6
			Earl Grenville to Sir John Young.	
	27	86 9. 23 April.	John Shiels, a citizen of Maine, claims compensation for store burned on Indian Island, by the Fenians	167

	Page.
strict—esti-	
.....	153
...en killed	
.....	155
d gratuities	
.....	159
for pension	
er Order in	
.....	159
ustained by	
.....	164
to be main-	
e of Buck-	
.....	164
the Lower	
.....	6 6
sation for	
.....	167

CORRESPONDENCE.

I.—Applications for Arms.

(*Copy.*)

Mr. Wilkins to Sir E. Head.

(Private.)

British Consulate,
Chicago, Sunday M'g., 21st April, 1861.

Sir,—A special agent left here yesterday evening on behalf of the citizens of Chicago to purchase arms and ammunition in Canada.

The agent's name is Gale, and is one of the wealthy citizens of Chicago. Some anxiety is felt here from the want of arms, there not being sufficient even to equip the troops called for by the President of the U. S. When these leave, the city will be defenceless.

It is thought by some that an effort may be made by the South to reach Chicago, the City of Refuge for fugitive slaves, and the great storehouse of provisions of which the South has none.

The known desire on the part of the people of Canada to cultivate friendly commercial relations with the Western States, and the large interests of Canadians in this city at the present time, have produced a feeling that the agent will be well received.

It is clearly understood that no assistance can be expected from the Government authorities in Canada.

I have, however, deemed it right to take this mode of acquainting you with the facts.

I am, &c.,
(Signed,) J. Edward Wilkins.

His Excellency,
Sir E. W. Head, Bart, K.C.B.,
&c., &c., &c.,
Quebec.

(*Copy.*)

Governor Morgan to Sir E. Head.

State of New York,
Executive Department,
Albany, April 22, 1861.

Sir,—I have the pleasure to present to you the Honorable Amaziale C. James, a Justice of the Supreme Court of this State, who visits Canada in behalf of the State of New York, and of the United States, inasmuch as telegraphic communication is cut off with the latter at this time, for the purpose of procuring by purchase or by loan a quantity of Minnie Rifles. Your Excellency is aware that a powerful rebellion has broken out in several of the Southern States of the Union against the peace and authority of the National

Government, and that the latter has called upon the respective Governments of the Loyal States to aid it in this emergency to accomplish this object. A large quantity of modern and more effective weapons, than is now possessed either by the National or State Government is needed, and for this Judge James proceeds to Canada and visits your Excellency, to solicit from you authority to procure from the Government of Canada, such weapons, of which the National Government is advised you have a large quantity. Judge James has full power to act in this matter, and any contract or engagement he may enter into will be fully recognized and acknowledged. In addition to which I desire to add, that by granting the application now made, you will place the Government of the United States and the Government of the State of New York under renewed obligations.

I have, &c.,

(Signed,) E. O. MORGAN.

Sir Edmund Head,
Gov. Gen. of Canada,
Quebec.

(*Copy.*)

Sir E. Head to Mr. Wilkins.

QUEBEC, April 25, 1861.

DEAR SIR,—I have to acknowledge your note, and to thank you for the information it contains. So far as the Canadian Government is concerned, there are no arms here which I could sell or lend. There is a Statutory provision against allowing the Militia Arms to go out of the Province, (22 Vict. c. 35 s. 35.)

Your note is marked private, but the subject is so important that I must make use of it in communicating with Lord Lyons and with the Home Government.

Yours very faithfully,

(Signed,) EDMUND HEAD.

J. E. Wilkins, Esq.,
Chicago.

(*Copy.*)

Sir E. Head to Governor Morgan:

GOVERMENT HOUSE,
Quebec, April 25th, 1861.

SIR,—I have had the honor of receiving, through Judge James, your Excellency's letter of April 22nd, in which you inform me that that gentleman visits Canada with the view of negotiating for the sale or loan of Minie Rifles.

It is with great regret that I am obliged to inform your Excellency of my inability to comply with Judge, James' request. Independently of other considerations, the Provincial Act, 22nd Vict., c. 35, section 35, (Consolidated Statutes of Canada,) Page 441, contains the express words "nor shall the arms and accoutrements be taken out of the Province."

I should not therefore under any circumstances feel myself justified in allowing the arms now in the hands of our Militia to quit the Province.

I need, however, hardly observe to your Excellency, that the British Minister at Washington is the only authorized channel of communication in official matters between the Government of the United States, or of any State, and the Government of this Province.

I beg your Excellency to believe that I sympathize deeply with the feelings of all patriotic Americans in the present crisis, and I take this opportunity of assuring you of my highest consideration.

Your faithful servant,

(Signed,) EDMUND HEAD.

His Excellency Governor Morgan.

(*Copy.*)

Sir E. Head to Lord Lyons.

GOVERNMENT HOUSE,
Quebec, 26th April, 1861.

Gov. Morgan, 22nd April.
Sir E. Head, 25th April.
Consul Wilkins, 21st April.
Sir E. Head, to Mr. Wilkins, 25th April.

MY LORD,—I have the honor to enclose for Your Excellency's information a copy of a letter brought to me by Judge James from Governor Morgan of New York, together with a copy of my answer.

I also enclose a copy of a letter from the British Consul at Chicago on the same subject, with a copy of my answer to that gentleman.

I have, &c.,

His Excellency The Lord Lyons.

(Signed,) EDMUND HEAD.

(*Copy.*)

Sir E. Head to Lord Lyons.

QUEBEC, 3rd May, 1861.

MY LORD,—I have the honor to acknowledge Your Lordship's Despatch of April 27th.

I am surprised that Her Majesty's Consul at Boston should have informed Your Lordship that I had, in answer to an application for arms from the Governor of Massachusetts, telegraphed to the effect that I could supply them only on a direct requisition from the British Minister at Washington.

No such application has to my knowledge been made to me by the Governor of Massachusetts.

An application of the kind was (as I have informed Your Lordship in my despatch of the 26th April, with a copy of my answer), made by Judge James, accredited by a letter from Governor Morgan of New York. The only application made to me by the Governor of Massachusetts was the one relating to the steamer *Peerless*, of which I conveyed a copy, with copy of my answer, under cover of my despatch to Your Lordship of the 29th April. In both these cases I have forwarded copies of the correspondence to Her Majesty's Secretary of State in the Colonies.

I have, &c.,

The Lord Lyons, K.C.B.

EDMUND HEAD.

(*Copy.*)

Sir E. Head to Lord Lyons.

QUEBEC, May 10, 1861.

MY LORD,—I have the honor to acknowledge the receipt of Your Excellency's Despatch of the 3rd instant, enclosing copies of notes which have passed between Your Excellency and the Secretary of State of the United States, relative to the applications for arms which have been made to me.

I have, &c.,

His Excellency,
The Lord Lyons, K.C.B.

EDMUND HEAD.

(*Copy.*)

Lord Lyons to Sir E. Head.

WASHINGTON, April 27th, 1861.

SIR,—I have this morning had the honour to receive your Excellency's Despatch of the 22nd instant, respecting an application to the Government of Canada for arms for the State

of Illinois. I have also this morning received a letter from Her Majesty's Consul at Boston, informing me that your Excellency in answer to an application for arms from the Government of Massachusetts, had telegraphed that you could supply them only on a direct requisition from the British Minister at Washington. The telegraphic communication between this City and the North is cut off. I send, however, to-day, written instructions to Her Majesty's Consul at New York, to despatch to Your Excellency, as soon as possible, a Telegram in the following words:

"With reference to your Despatch of twenty-second, and to the application from the Government of Massachusetts, Lord Lyons is decidedly of opinion that nothing ought to be done without express orders from Her Majesty's Government."

Her Majesty's Government have not authorized me to obtrude advices, or even to express an opinion upon the unhappy contest which is going on in this country. Much less have they given me authority to ask for material aid from Her Majesty's Colonies for either party in the struggle. They are very far, indeed, from having manifested a desire to take part in the strife. They have, on the contrary, sought to avoid even the appearance of anything which might be construed to imply such a desire.

I have, &c.,

(Signed,) LYONS.

His Excellency
The Rt. Honorable Sir E. Head, Bart, K.C.B.,
&c., &c., &c.

Lord Lyons to Sir Edmund Head.

WASHINGTON, May 3rd, 1861.

SIR,—I have this afternoon had the honor to receive Your Excellency's Despatches of the 26th and 29th ultimo.

I have the honor to enclose for Your Excellency's information, a copy of a note which I have received from the Secretary of State of the United States, relative to the applications for arms which have been made to Your Excellency by the States of New York and Ohio. I enclose also a copy of my answer to the Secretary of State.

From Mr. Seward, May 3rd, 1861.

To Mr. Seward, May 3rd, 1861.

The extract which I have sent to him from Your Excellency's letter to Mr. Consul Williams, of the 25th ultimo, begins with the words "so far as," and ends with the words, "c. 35, s. 35."

I submitted to Your Excellency my opinion with regard to the applications for arms, by a telegram which was despatched to you by my order, by Her Majesty's Consul at New York, on the 30th ultimo; and by a Despatch which I addressed to you on the 27th ultimo. My opinion still is that it would not be right to comply with any such applications without express orders from Her Majesty's Government.

I have the honour to be, Sir,
Your Excellency's most obedient humble servant,

LYONS.

His Excellency,
The Rt. Honorable. Sir E. Head, Bart, K.C.B.,
&c., &c., &c.

(*Copy.*)

Mr. Seward to Lord Lyons.

WASHINGTON, May 3, 1861.

MY LORD,—I am just informed by a telegraphic Despatch that the Government of Canada declines to sell arms to the State of Ohio.

The despatch assumes, I know not on what grounds, that the Government of that Province has arms which it could sell, but is unwilling to sell the same to a *State*, as such,

Thus it is left to be inferred that the Government of Canada has arms that it would sell to the several States, if the Government of the United States should appear the purchaser As the arms which the State of Ohio seeks to purchase are intended to be used by her troops mustering into the army of the United States, I beg to ask whether your Lordship would think it right to recommend that the arms in question should be sold to that State, the approval of the President for that purpose being herein given?

I beg to ask the same favour to the application of the Governor of New York for the purchase of fifty thousand stand of arms, the consent of the President to the purchase of which is also hereby given.

Should you feel at liberty to give such a recommendation to the Governor General, this Government would feel itself greatly obliged.

I have, &c.,

(Signed,) WILLIAM H. SEWARD.

The Lord Lyons.
&c., &c., &c.

(*Copy.*)

Lord Lyons to Mr. Seward.

WASHINGTON, May 3, 1861.

Sir E. Head to Gov. Morgan, April 25th, 1861.

SIR,—I have this afternoon had the honour to receive your note of this day's date, relative to applications to purchase arms, which have been made by the States of Ohio and New York to the Provincial Government of Canada.

Sir E. Head to Consul Williams, April 25th, 1861.

The enclosed copy of a letter from the Governor General of Canada to the Governor of the State of New York, and extract from a letter from the Governor General to Her Majesty's Consul at Chicago, show that there are no arms in the Province which the Government has power either to sell or to lend.

I have, &c.,

(Signed,) LYONS.

The Honorable W. H. Seward.

(*Copy.*)

Duke of Newcastle to Sir E. Head.

No. 191.

DOWNING STREET,
25th May, 1861.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 17, of the 25th ultimo, enclosing copies of applications from Chicago and the State of New York, for a supply of arms and ammunition.

I have to convey to you my entire approval of the course adopted by you on this occasion, and of the answer you returned to the Governor of New York.

I have, &c.,

(Signed,) NEWCASTLE.

Governor, The Right Honorable
Sir E. Head, Bart,
&c., &c., &c.

(*Copy.*)

Duke of Newcastle to Sir E. Head.

No. 196.

DOWNING STREET,
26th May, 1861.

SIR,—I have received your despatch No. 17, of the 25th April, and I have the honor to inform you that Her Majesty's Government entirely approve your conduct and language in declining either to sell or to lend arms to the State of New York, or to the Government

of the United States. No arms or ammunition ought on any account to be sold or lent to either of the contending parties in the unhappy differences now pending in North America.

I have, &c.,

Sir E. Head, Bart, &c., &c. (Signed,) NEWCASTLE.

(*Copy.*) *Sir E. Head to the Duke of Newcastle.*

No. 17.

QUEBEC, 25th April, 1861.

MY LORD DUKE,—I have the honor to enclose a copy of a telegraphic message, forwarded on the 22nd instant to my Military Secretary, by Mr. H. C. R. Becher, Queen's Counsel, who resides at London, C.W., together with a copy of the answer which I caused to be sent to him. On the same day, I directed the Militia Department to send instructions by telegraph to all persons in charge of Government arms and ammunition in Upper Canada, that "nothing is to be handed over to any persons without special orders of the Department."

Mr. Becher, 22nd April.

Capt. Retalack, 22nd April.

This day, I received a letter from Mr. Wilkins, the British Consul at Chicago, of which I enclose a copy with my answer. The Honorable A. C. James also waited on me, on the part of Governor Morgan, of the State of New York, and he brought a letter, of which a copy, together with a copy of my answer, is also enclosed.

Mr. Wilkins, 21st April.

Sir E. Head, 26th April.

The prohibition against taking the arms out of the Province was inserted in a Militia Act passed at Toronto by my express desire, with the view of preventing the Volunteer Corps from carrying their arms into the United States on holiday visits, but it clearly applies to the present case, even if there were no other reasons for refusing to comply with Governor Morgan's request.

Gov. Morgan, 22nd April.

Sir E. Head, 25th April.

I have, &c., &c.,

The Duke of Newcastle. EDMUND HEAD.

II.—RECRUITING IN CANADA FOR THE U. S. ARMY.

(*Copy.*) *Lord Lyons to Sir E. Head.*

WASHINGTON, October 25th, 1861.

SIR,—On the receipt of Your Excellency's despatch of the 10th Oct. last, respecting an attempt to recruit in Canada for the United States army, I addressed a note to the Government of the United States, inclosing copies of that despatch and its inclosures, and calling particular attention to the conduct of the person who announced himself as Lieut.-Colonel Davis.

1. Mr. Seward, Oct. 24th, 1861.

I have the honor to transmit to you herewith a copy of the Secretary of State's answer, and a copy of a letter from the Secretary of War, which accompanied it.

2. Mr. Cameron to Mr. Seward, Oct. 24th, 1861.

I have, &c.,

His Excellency, (Signed,) LYONS.

The Right Honorable Sir Edmund Head, Bart, &c., &c., &c.,

(*Copy.*)

DEPARTMENT OF STATE,

Washington, October 24th, 1861.

MY LORD,—Your note of the 15th instant, relative to a supposed attempt to raise recruits in Canada for the United States army, was duly received, and referred to the Secretary of War. I now have the honor to communicate to you a copy of a letter, of this date, from him on the subject, the explanation in which, it is hoped, will prove satisfactory to you and to Her Majesty's Government.

I avail, &c., &c.,

(Signed,) W. H. SEWARD.

The Right Honorable Lord Lyons.

(*Copy.*)

WAR DEPARTMENT,

Washington, October 24th, 1861.

SIR,—Your communication of the 17th instant, with enclosures from Lord Lyons, was duly received.

This Department has not given authority to any officer of the Government, or any other person, to raise recruits for military service in Canada. The particular case cited is without the slightest foundation in fact.

The following has been received from Col. W. Kellogg, of the Second Regiment of Michigan Cavalry:

In reply to your enquiry about Col. Davis and his visit to Canada, I can only say, that he asked leave of absence to visit some friends in Hamilton, three hundred and twenty miles from where he is stationed. That he was neither requested, nor authorized to enlist any person for the United States. That he was absent for four days, and on his return informed me that he believed I could secure the services of a Captain Villiers, if I would give him a Major's commission. In reply, I told him that the Major of the Regiment had been appointed while he was absent, and I would not offer a commission of any kind to Captain Villiers. This ended the matter, and was all I ever heard of Captain Villiers.

(Signed,) SIMON CAMERON,
Secretary of War.

(*Copy.*)

Lord Monck to Mr. Cardwell.

No. 148.

QUEBEC, 10th October, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch, (circular) of the 16th September, enclosing a copy of a notification which has appeared in the *London Gazette*, prohibiting vessels of war, belonging to either of the Belligerent Powers in North America, to enter British Ports for the purpose of being dismantled or sold.

In obedience to your instructions, I have caused this prohibition to be made known in the Colony, and I enclose for your information a copy of the notice which has been inserted in the *Canada Gazette* of the 8th instant.

I have, &c.,

(Signed,) MONCK.

The Right Honorable E. Cardwell,
&c., &c., &c.

(*Copy.*)

Lord Lyons to Lord Monck.

WASHINGTON, August 8, 1864.

MY LORD,—I have the honor to transmit to Your Excellency, copies of three Despatches, which I have received from Mr. Donohoe, Her Majesty's Consul at Buffalo,

respecting practices resorted to by crimps and other unscrupulous men, in order to obtain recruits from Canada for the United States army.

I have also the honor to transmit to Your Excellency, a copy of a note on the subject which I addressed to the Secretary of State of the United States, and a copy of the answer which he made to it.

I have received from other British Consuls, from private persons, and from Canadians serving in the United States army, a vast number of complaints similar to those set forth in Mr. Consul Donohoe's Despatches, and I have been and am engaged in correspondence with the Government of the United States respecting many individual cases in which Canadians have represented to me that they have been enlisted fraudulently and illegally in the United States army.

Very little success, however, attends my endeavors to obtain redress for these wrongs My remonstrances are courteously acknowledged by the Secretary of State, and forwarded by him to the Secretary of War, the Secretary of War orders an investigation, or rather calls upon the recruiting officers for a report. The recruiting officers commonly report that they never enlist any one except in the most lawful and scrupulous manner; that in the particular case referred to them, the allegations of the complainant are utterly false, and that his enlistment was in all respects lawful and correct. I endeavour to obtain further evidence, but it is very seldom that any can be obtained, except that of the recruit himself and the recruiting officers. From the crimps and agents of course no testimony can be obtained in proof of their own iniquities, and the result commonly is, that after a controversial correspondence with me of more or less length, the United States Government acts upon the report of its own officers, and retains the recruit.

I cannot pretend to say that all or even the greater part of the complaints made to me are well founded. Some of the men who apply to me are very probably not British subjects, or not entitled to British protection in the United States, some (as appears to have been the case with the two Colonial lads, Henry and Williams, mentioned in Mr. Donohoe's Despatch of the 18th June), have enlisted voluntarily. Some have, no doubt, been in collusion with the recruiting agents, and have enlisted with the intention of getting hold of the bounty, and then obtaining their discharge as British subjects by the intervention of the Legation. But that there is, in full activity, a system of enticing Her Majesty's subjects to come from Canada to enlist, and even of kidnapping them and carrying them across the frontier, can hardly be doubted, and I am anxious to ask for Your Excellency's advice on the subject, and to beg you to consider whether there are any further steps which can be taken by me, with a view to diminishing the evil, or any special suggestions which I can make to the United States Government, with a view to inducing that Government to co-operate with the Canadian authorities in efforts to put a stop to these nefarious practices.

In order to bring the United States authorities to admit that the grievance has a real existance, and that they are justly called upon to take measures to abate it, it is extremely desirable that I should be enabled to produce proofs in one or two individual instances. On this account I venture to call Your Excellency's particular attention to the two cases mentioned in Mr. Consul Donohoe's Despatch of the 25th ultimo. If Mr. Donohoe is right in supposing that sworn testimony could be obtained respecting these two cases, I shall be very much obliged if Your Excellency will cause it to be procured, and will forward it to me.

I have, &c.,

(Signed,) LYONS.

His Excellency,
The Viscount Monck,
&c., &c., &c.

(*Copy.*)

Mr. Consul Donohoe to Lord Lyons.

BUFFALO, N. Y., May 23rd, 1864.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's Despatch of the 14th instant, transmitting a copy of a Report made by Mr. Dye, by orders from the Secretary of State for War, upon the enlistment into the military service of the United

States of two colored youths, Henry and Richard Williams of St. Catharine's, Canada West. This case was brought by me to Your Lordship's notice by my despatches of the 7th and 28th January, and was referred to in Your Lordship's Despatches of January 16 and February 3, and again by Your Lordship's Despatch of the 14th instant, to which I now have the honor to reply.

In order to be in a position to form an accurate estimate of the merits of this case, I proceeded on the 21st instant to St. Catharine's, and there saw the lawyer who had been employed by the friends of these youths, as well as a person who was acquainted with the circumstances regarding their case. From what I then learned, I am induced to arrive at the same conclusion as Mr. Dye, viz: That the boys Henry and Richard Williams are unworthy of credence, that they left St. Catharine's of their own free will and for the purpose of enlisting in the United States Military Service, and that to enable them to do so they swore before the mustering officers falsely, as regards their ages.

It is notorious that certain citizens of the United States, and others who are not so, are engaged throughout the province in offering inducements to men and boys to cross over the frontier and enlist into the United States Service; that these persons are directly employed by persons holding a commission in the United States Service, I consider to be doubtful; if they are found engaged in such a pursuit within the province, the law there can deal with them, as it has already done in several cases, but whether the United States Government should discountenance and warn by proclamation or otherwise, parties engaged in this nefarious traffic, for it can be called nothing else, when it deals with youths under fifteen years of age, as in the case of the younger Williams, is a question which I must leave for Your Lordship's consideration.

The twelve copies of the annexed to Mr. Dye's report are herewith returned.

I have, &c.,

(Signed,) DENIS DONOHOE.

The Lord Lyons,
&c., &c., &c.

(*Copy.*)

Mr. Consul Donohoe to Lord Lyons.

BUFFALO, June 18th, 1864.

MY LORD,—I have the honor to acknowledge the receipt of your Lordship's despatch, of the 15th instant, informing me that your Lordship has transmitted to the Secretary of State of the United States, a copy of my despatch of the 23rd ultimo, respecting the two coloured youths, H. & R. Williams, who came from Canada and enlisted in the United States army; and that your Lordship has suggested to Mr. Seward whether the United States Government should not take measures to discountenance and frustrate the illegal and improper practices which have been resorted to by unscrupulous men to induce the Queen's subjects to leave Her Majesty's Dominions for the purpose of enlisting in the United States army.

Undeterred by the punishment that has been inflicted by the authorities in the Province upon such men as have been arrested and convicted of this crime, I regret to say that the practice of enticing Her Majesty's subjects to leave the Province and enlist in the United States army is, from my own observation, on the increase, and there are few days in which I do not hear of some case of the kind. This morning two such cases have been brought to my knowledge. The first case is as follows:—The boy a British subject and resident of the Province, was sixteen years of age, as shown by a certificate of the Rector of the Parish. Upon an examination of the enlistment papers in the office of the Provost Marshal I find that he represented himself, as eighteen and swore to that effect, also that he was from Cleveland, Ohio, a place he had never seen in his life, as I was informed by his mother. The Provost Marshal informed me that in all cases where a boy enlisting represents that he is from Canada, he invariably requires that he should be of the age of twenty-one, the age at which he ceases to be a minor according to British law, otherwise he will not receive him as a recruit. I think it but justice to Col. Rogers, the Provost Marshal, a most just and excellent officer, that I should mention this fact.

The other case was as follows:—The boy, by the statement of the father, a resident of Canada, was seventeen years and four months old, yet he has sworn in his enlistment paper, that he was twenty-two, and has been mustered in as of that age. In the first case the boy was swindled out of all his bounty money by the parties who induced him to come from Canada, in the other case I was unable to learn more than is stated above.

I take these two cases as they have both come under my notice this morning, the day I received your Lordship's despatch, neither of them are cases in which, as far as I can judge, any satisfactory steps can be taken to procure the release of the boys, and I have so informed the parents.

I give your Lordship one more case that has occurred within the last few days, and for that purpose have the honor to enclose copies of two notes written by me to the Officer Commanding Her Majesty's 16th Regiment stationed at Toronto.

It is with sincere regret that I have to bring such cases as these to your Lordship's notice, for if there is any act likely to cause an ill-feeling among the residents of Her Majesty's Dominions against their neighbours on this side, united as they ought to be by the strongest ties of friendship and of commerce, it is the act of these heartless scoundrels who entice away from their parents and their homes youths of from fifteen to eighteen, and place them in a situation, leaving other considerations out of the question, for which they are physically disqualified.

I am, &c.,

The Lord Lyons, (Signed) DENIS DONOHOE.
&c., &c., &c.

(*Copy*) *Mr. Consul Donohoe to Officer Commanding 16th Regiment.*

BRITISH CONSULATE,
Buffalo, June 14th, 1864.

SIR,—I have just received information that a sergeant and two privates of your regiment have been induced to desert by a man of the name of Dwyer; that they got off from Toronto in an open boat and succeeded in reaching the United States, and have been taken to Dunkirk in this State for enlistment into the United States Forces; this is stated to have occurred within the last few days and the authorities at Toronto might as well be on the lookout for Mr. Dwyer, in case he should again try his hand at the same game. I am further informed that the sergeant made the remark that "every Irishman would desert from the 16th regiment when there was an opportunity for doing so." As yet I have not obtained any description of Dwyer's appearance, if I do so, I shall let you know at once. I know that the Canadian authorities have been successful in capturing some of these scoundrels who are trying to induce our soldiers to desert, and I should be glad to hear that they had got hold of Dwyer—a watch along the beach or where the boats are ·pt would not be a plan.

I am, &c.,
(Signed) D. DONOHOE,
Her Majesty's Consul.

To the Officer Commanding the 16th Regiment.

(*Copy*) *Mr. Consul Donohoe to the Officer Commanding 16th Regiment.*

BUFFALO, June 15th, 1864.

SIR,—With reference to my note of yesterday's date, I have received the following description of Dwyer:—Height, about five feet eight inches; eyes gray; hair brownish; rather curly; broad shouldered; large chested man. The men who deserted left Toronto in his company at about 9.30 p. m., (day not mentioned), rowed the whole way, and landed at Youngstown, State of New York, in ten hours after leaving Toronto. From the way in

which this and the former information has reached me, I do not believe that it could be put in a *legal form* so as to be of any use in Her Majesty's Dominions.

I am, &c.,

To Officer Commanding 16th Regiment. (Signed) D. DONOHOE.

(*Copy*)

Mr. Consul Donohoe to Lord Lyons.

BUFFALO, July 25th, 1864.

MY LORD,—In my despatches of the 23rd May, and of the 18th June, I had the honor to call Your Lordship's attention to the proceedings of unscrupulous men in their efforts to obtain recruits for the United States army, from amongst Her Majesty's subjects in Canada.

I have now the honor to lay before Your Lordship, a statement of what appears to me to be one of the most heartless outrages that have been perpetrated by these crimps who are employed by the recruiting agents in kidnapping youths upon the Canadian side of this frontier.

John Bland Allinson, the boy in question, is an orphan, and was born on the 28th August, 1848, in the Island of Barbadoes, his father being an officer in Her Majesty's service; up to the time of his disappearance from his home at Niagara, Canada West, he resided with his grand-mother and aunt who are his guardians. He left his home on the 5th July, and although advertisements were inserted in various newspapers, no intelligence was received by his friends of his whereabouts until his name appeared in a Buffalo newspaper, of either the 13th or 14th instant, as having entered the United States service as a substitute. Your Lordship may imagine the sufferings of his family during the interval when there was no account of him, and of the agony of those two poor ladies, his grandmother and aunt, who resorted to the expedient of having the river dragged expecting to find his dead body.

Upon the 15th instant, a communication was made to me by his friends, and on consulting the recruitment list at the Provost Marshal's office, I found that he had been mustered into the United States navy for three years, under the name of John Allison, his age being stated upon the enlistment papers as eighteen years and two months. The Petty Officer in charge of the Naval rendezvous in this city, upon my producing evidence as to the boy's age, assured me that he would be given up to me, and that he was on board the United States steamer *Michigan*, at present stationed at Johnson's Island on Lake Erie. After twice telegraphing to the officer in charge of the *Michigan*, and demanding that he should be given up to me here, the boy was delivered to me on Saturday the 23rd instant. I enclose a copy of the statement he then made to me.

The boy's account is a most extraordinary one, and I really do not know what to think of it; his aunt who was here for two days, told me he was truthful but credulous, and I am inclined to think that he was not drugged in the first instance, but only at the time he took a drink of what he supposed was water. Many medical men pretend that a person cannot be deprived of consciousness by chloroform or other drug whilst in a non-recumbent position, and in full possession of their faculties—however, even supposing that the boy's statement is untrue, which I do not believe it to be, the question arises,—are British youths of less than sixteen years of age, and, as in the case of Allinson who does not look so be even fifteen, to be enticed away from their homes and enlisted into the military or naval service of the United States by United States officers who must be well aware of what they are doing, and who would not have these youths brought to them by the crimps if the latter thought there would be any difficulty thrown in their way.

I regret to state that from the lists of substitutes which are now published in this city, and from information derived from various sources, I perceive that the number of British subjects, many of them boys under eighteen, enlisting into the United States service is very much upon the increase. How many of these are drugged in Canada and brought over to this side it is impossible to say; but that a regular system is now organized by which men are passed over the frontier and kept in durance and stupified with liquor until they enlist into the United States service, I have no doubt whatever. The Head

Constable of Niagara told me that he had a man in Jail there for four days, who in that time, had not sufficiently recovered his senses to be able to give an account of himself, and that he had been rescued from a man who was leading him over to the American side of the river.

I heard another instance in which a man was drugged by a German on board of one of the steamers between Toronto and Lewiston, and who upon coming to his senses, found himself in the camp at Elmira, with a United States uniform upon him. In this case the man escaped by bribing the guard, and was thirteen days in reaching his home and family in Canada. I have no doubt that sworn testimony relating to both these cases could be obtained.

As long ago as the 18th November last, the recruiting of coloured people in Canada was openly suggested in one of the newspapers of this city—which is owned and edited by the United States Postmaster, an official of the Government. The paragraph was as follows:—

"No one doubts that at least a regiment of coloured soldiers might be raised within "six weeks here in Buffalo, by employing proper agencies among the coloured people of "Canada, and such a help towards the filling up of the quota of Buffalo and the averting "of another draught for her people is not to be regarded with indifference nor neglected."

That these sentiments are acted up to, on this frontier, I have no doubt whatsoever, and that the attention of the agents is directed to the white as well as the coloured subjects of Her Majesty, I think the case of John B. Allinson clearly proves.

I have, &c.,

(Signed) DENIS DONOHOE.

The Lord Lyons,
&c., &c., &c.

Statement of John Bland Allinson

On the evening of the 5th of July, I was on my way home in the town of Niagara C. W.; a man came up and spoke to me who was a stranger, and asked me the way to some street, and I turned my head round when I saw like a shadow and smelt a very strong smell, and I presume that I became insensible, and when I came to my senses I found myself lying upon a bed, and there was a man in the room with me, but not the same one as mentioned before. I did not know where I was. He was looking at me, and I asked him for a drink of water, and he gave it to me and I closed my eyes as I was sleepy. When I recollect next I was in the cars. I have some sort of recollection of passing places, trees, &c., and the man asking me did I feel better. I arrived at, I suppose Buffalo, but have no idea whether it was in the morning or evening. I do not think I was taken into a house, but I was brought on board the *Michigan*. The man with whom I was, brought some papers and handed them to one of the officers. The officer asked me if I knew how tall I was, I said I did not know and he made me stand up against something and measured me, and said "he will do." The officer then told me to go forward. I remained on board the *Michigan* until about 12 o'clock on Thursday last, when I was taken on shore and given in charge to a master of a propeller, who brought me to Buffalo, where I was given up to the British Consul.

Signed before me this 23rd of July, 1864.

(Signed) JOHN ALLINSON.

(Signed) DENIS DONOHOE.

(*Copy*)

Lord Lyons to Mr. Seward.

WASHINGTON, June 15th, 1864.

SIR,—On receiving the note which you did me the honour to address to me on the 11th ultimo, respecting two coloured youths, British subjects, named Henry and Richard Williams, who were stated to have been seduced by improper means to leave their homes

in Canada and to enlist in the United States army, I directed Her Majesty's Consul at Buffalo, by whom the case was originally brought to my notice, to make further inquiries respecting it. I have the honour to inclose a copy of the Report which he has made to me. You will perceive that he comes to the conclusion that the youths are unworthy of credence, and that they left St. Catharines, in Canada, of their own free will, and for the purpose of enlisting in the United States service, and that to enable them to do so they swore before the mustering officer, falsely as to their ages.

On the general question of receiving into the United States military or naval service, British subjects, who in order to enter that service transgress the law of their country and the commands of their Sovereign, I do not purpose to speak on the present occasion; the views of Her Majesty's Government respecting this question have been before communicated to the Government of the United States.

I am anxious, however, to call your attention to the observations made at the end of the Consul's despatch, and to suggest for your consideration, the question whether the United States Government should not take some measures to discountenance and frustrate the illegal and improper practices which appear to be resorted to by unscrupulous men to induce the Queen's subjects to leave Her Majesty's Dominions for the purpose of enlisting in the United States army.

I have, &c.,

The Hon. W. H. Seward. (Signed) LYONS.

(*Copy.*) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,

Washington, June 23, 1864.

MY LORD,—I have the honor to acknowledge the receipt of your communication of the 15th instant, relative to the cases of Henry and Richard Williams, and suggesting for my consideration whether this Government should not take some measures to discountenance and frustrate the alleged illegal and improper practices of unscrupulous men to induce British subjects to leave Her Majesty's Dominions for the purpose of enlisting in the United States army, and to inform Your Lordship that I have referred to the Secretary of War.

I have, &c.,

The Lord Lyons. (Signed,) W. H. SEWARD.

(*Copy.*) *Lord Monck to Lord Lyons.*

QUEBEC, August 15th, 1864,

MY LORD,—I have the honor to acknowledge the receipt of Your Excellency's despatch of August 8th, and enclosures respecting the existence of an organized system for enticing and forcing subjects of Her Majesty into the military and naval service of the United States.

The constant applications to him on this subject, reported by Mr. Consul Donohoe, renders it almost certain that some such system exists, but I observe that Consul Donohoe does not state that he has any reason to believe that the practices alluded to are directly sanctioned by the authorities of the United States.

I also notice that Consul Donohoe observes that cases have occurred, in which persons guilty of these practices and detected by the Canadian officers of Justice, have been brought to trial and punished.

I will take measures to induce increased vigilance with respect to offences of this description on the part of the Canadian Police authorities, but I greatly fear that it will

be found impossible entirely to stop attempts of this description, so long as the Government of the United States find it necessary to offer such large inducements to persons for bringing in recruits for their military service.

With regard to the two cases mentioned by Mr. Consul Donohoe, in his despatch of July 25, I will endeavour to obtain for Your Excellency, any testimony within my reach, but as Mr. Donohoe mentions no names in one of the cases, I have been obliged to write to him for further information, which circumstance may cause some little delay in furnishing you with the evidence which you require.

I have &c.,
(Signed,) MONCK.

His Excellency the Lord Lyons.

(*Copy.*) *Lord Lyons to Lord Monck.*

WASHINGTON, August 17th, 1864.

MY LORD,—With reference to my despatch of the 8th instant, I have the honor to transmit to Your Excellency, a copy of a further despatch from Her Majesty's Consul at Buffalo, respecting the practices by which recruits are obtained in Canada for the United States army.

I have, &c.,
(Signed,) LYONS.

His Excellency,
The Viscount Monck,
&c., &c., &c.

(*Copy.*) *Denis Donohoe to Lord Lyons, G.C.B.*

BUFFALO, August 13th, 1864.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's despatch, No. 8, of the 8th instant, informing me that Your Lordship has sent copies of my despatches No. 17 of the 23rd May, No. 20 of the 18th June, and No. 21 of the 25th ultimo, to the Governor General of Canada, and have asked His Excellency to consider what steps can be taken to induce the American Government to co-operate with the Canadian authorities in putting a stop to the nefarious practices of unscrupulous men who are engaged in obtaining recruits for the American army, from amongst Her Majesty's subjects in Canada.

Though the substitute agents are using every effort to obtain men, I do not think they have been quite so successful across the Frontier during the present month, as I am informed that the Canadian Police have been very vigilant of late, and though it is very difficult to bring about a conviction in many of these cases, the preliminary imprisonment before trial has acted as a salutary warning to parties who have been arrested, and has served to deter others from following the same course.

I have, &c.,
(Signed,) DENIS DONOHOE.

The Lord Lyons, G.C.B.,
&c., &c., &c.

(*Copy.*) *Lord Monck to Lord Lyons.*

QUEBEC, 23rd August, 1864.

MY LORD,—I have the honor to acknowledge the receipt of Your Excellency's despatch, covering a copy of a letter from Her Majesty's Consul at Buffalo, respecting the practices by which recruits are obtained in Canada for the United States army.

I am happy to learn that the vigilance of the Canadian Police has had some effect in putting a stop to the illegal proceedings of the United States recruiting agents.

I have, &c.,
(Signed,) MONCK.

His Excellency the Lord Lyons.

(*Copy.*) *J. Hume Burnley to Lord Monck.*

WASHINGTON, September 19, 1864.

MY LORD,—I deem it right to forward to Your Excellency, the enclosed copy of a letter which has been addressed to Her Majesty's Consul at Boston, by several seamen, complaining of the way in which they were induced by certain boarding-house keepers at Quebec, whose names they give, to enter the United States army. As they seem to have received a certain amount of bounty, it is impossible to know how far they might not have been themselves consenting parties, but if it be true that these boarding-house keepers received themselves a thousand dollars, they must be acting as Agents for the purpose of carrying on this traffic.

I am well aware that Lord Lyons and Your Excellency take great interest in this question of Canadian recruitment, and I have recently, officially and privately, urged the Secretary of State of the United States to see whether some harmonious action could not be brought about, so as to prevent this system from being carried to such a disgraceful length.

I have &c.,
(Signed, J. HUME BURNLEY.

His Excellency,
The Viscount Monck,
&c., &c., &c.

GALOUP'S ISLAND,

Boston Harbour, September 14, 1864.

SIR,—We, the undersigned, subjects of Great Britain and Ireland, do apply to you with all respect for redress to our grievance, as we have been foully dealt with, and sold like slaves into this American army. We are British seamen, who were taken under the pretence of joining the navy, and induced by the boarding masters at Quebec to come here, and then they sold us at Lebanon, New Hampshire, as substitutes, giving us two hundred dollars bounty, and receiving one thousand themselves, and as I believe they are making a regular trade of it, we think it near time it was put a stop to, as they are inducing all the seamen they can possibly catch to come here; but little they know what is before them. We have among us three men, who have a wife and little ones to mourn their only support. If you would be so kind to write to the Governor of Quebec, I will furnish you with the names of those men who are connected with this foul scheme, who, by the means of rum and drugs, pursue this unlawful practice, and leaves their victim an easy prey. They are, Sir, as follows:—

Thomas O'Leary, James Ward, Charles Smyth, Dempsey, &c., Sailors' Boarding-house Keepers, Champlain Street, Quebec. Hoping you will comply with our request,

We remain, &c.,

(Signed,) THOMAS KEATIN, of Dublin.
" GEO. HORNBY, Plymouth, England.
" ARTHUR ARTHURSON, Inverness.
" JAMES CRAIG, Glasgow.
" WM. MACREGOR, his + mark Dublin.
" JOHN CARROLL, Dublin.
" JOSEPH GREEN, Dublin.
" HENRY MCNALLY, his + mark Dublin.
" WM. NEIL, his + mark Carlow, Ireland.

P.S.—We are stopping at No. 7 Barracks, on this Island; a letter directed to any of the above names will carry to us.

(Signed,) T. K.

F. Lousada, Esq.,
H. B. M. Consul,
Boston.

(*Copy.*)

Lord Monck to Lord Lyons.

QUEBEC, 26th September, 1864.

MY LORD,—Referring to Mr. Burnley's despatch of September 19th, I have the honor to state that it is my intention to send to Boston a legal gentleman, for the purpose of having the sworn informations of the persons who signed the memorial forwarded by the British Consul at Boston to Mr. Burnley, taken before a Justice of the United States, with the view of adopting ulterior proceedings against the residents at Quebec, of whose conduct complaint is made in that memorial.

I shall feel much obliged if Your Excellency will furnish me with a letter to the Consul at Boston, accrediting to him the person whom I propose to send for the above purpose.

I have, &c.,
(Signed,) MONCK.

His Excellency the Lord Lyons.

(No. 261.)

The Duke of Newcastle to Sir E. Head.

DOWNING STREET,
28th October, 1861.

SIR,—I have the honor to acknowledge the receipt of your despatch No. 85, of the 9th instant, enclosing a report extracted from a Toronto newspaper of proceedings taken against Mr. Arthur Rankin, a Colonel of Militia and member of the Provincial Parliament, for an alleged violation of the Foreign Enlistment Act. Your previous despatch No. 75, of the 16th of September, to which you refer has also been duly received, and the answer

which you caused to be returned to Colonel Rankin's application for leave of absence meets with the approval of Her Majesty's Government.

I have, &c.,

(Signed) NEWCASTLE.

Governor,
The Right Honourable Sir E. Head.

(*Copy.*)

The Duke of Newcastle to Lord Monck.

No. 6.

DOWNING STREET,
22nd November, 1861.

MY LORD,—With reference to Sir E. Head's despatch No. 88, of the 11th October, 24th October, 1861. enclosing a copy of one which he had addressed to Her Majesty's Minister at Washington, respecting attempts made at Hamilton, Canada West, to recruit for the United States army, I have the honor to transmit to you a copy of a despatch from the United States Secretary of State, dated the 24th ultimo, on the subject.

Her Majesty's Government consider the explanation given by Mr. Seward on this subject to be satisfactory.

I have, &c.,

(Signed) NEWCASTLE.

Governor Viscount Monck,
&c., &c., &c.

(*Copy.*)

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, October 24th, 1861

MY LORD,—Your note of the 15th instant, relative to a supposed attempt to raise recruits in Canada for the United States army was duly received and referred to the Secretary of War. I now have the honor to communicate to you a copy of a letter of this date from him on the subject, the explanation in which, it is hoped, will prove satisfactory to you, and to Her Majesty's Government.

I have, &c.,

(Signed) W. H. SEWARD.

The Lord Lyons,
&c., &c., &c.

(*Copy.*)

Mr. Cameron to Mr. Seward.

WAR DEPARTMENT,
Washington, October 24th, 1861.

SIR,—Your communication of the 17th instant, with enclosures from Lord Lyons, was duly received. This Department has not given authority to any officer of the Government, or any other person, to raise recruits for military service in Canada. The particular case cited is without the slightest foundation in fact. The following has been received from Colonel L. W. Kellogg, of the 2nd Regiment of Michigan Cavalry:—In reply to your enquiry about Colonel Davies and his visit to Canada, I can only say that he asked leave of absence to visit some friends in Hamilton, 350 miles from where he is stationed. That he was neither requested nor authorized to enlist any person for the United States army. That he was absent five days, and on his return informed me that he believed I

could secure the services of a Captain Villiers, if I would give him a Major's Commission. In reply I told him that the Major of the Regiment had been appointed while he was absent, and I would not offer a Commission of any kind to Captain Villiers. This ended the matter and was all I ever heard of Captain Villiers.

All of which is respectfully submitted,

(Signed) SIMON CAMERON,
Secretary of War.

(*Copy.*)

No. 66.

Mr. Cardwell to Lord Monck.

DOWNING STREET,
5th September, 1864.

MY LORD,—I have the honor to transmit to you for your information, a copy of a despatch from Her Majesty's Minister at Washington to Earl Russell, and a copy of Earl Russell's answer, shewing the steps which have been taken with a view to leading the Government of the United States to discountenance and repress illegal practices which have been resorted to for obtaining recruits from Canada for the United States army.

Lord Lyons to Earl Russell, 9th August, 1864.

Earl Russell to Lord Lyons, 25th August, 1864.

I have to request that you will report to me what reply you sent to Lord Lyons' despatch to you on this subject, dated the 8th of August, together with any information or suggestions which may be of service to Her Majesty's Government in endeavoring to prevent the continuance of these practices.

I have, &c.,
(Signed) EDWARD CARDWELL.

Governor Viscount Monck,
&c., &c., &c.

(*Copy.*)

No. 568.

Lord Lyons to Earl Russell.

WASHINGTON, August 9th, 1864.

MY LORD,—In my despatches No. 885 of the 13th of December last, and No. 252 of the 11th April last, I had the honor to call Your Lordship's attention to reports which I had received from Her Majesty's Consul at Boston, respecting plans for obtaining recruits in Canada for the military and naval service of the United States.

It is difficult to bring proofs in individual instances, but the general fact that a system of enticing Her Majesty's subjects from Canada to enlist, and even of kidnapping them and carrying them across the frontier exists to a very grievous extent, can hardly be doubted. I have no grounds for asserting that any one in the service of the United States Government is directly concerned in these practices: nor do I doubt that the higher authorities at Washington would give due redress, in any case where positive proof could be produced. But I think it is difficult to deny that in their eagerness to fill up the ranks of the army, some subordinate recruiting officers connive more or less at the nefarious practices of Brokers and Agents, and I cannot believe that an earnest determination on the part of the supreme authorities here to put down these iniquities would be ineffectual.

Holding this opinion, I suggested to Mr. Seward in a note which I wrote to him on the 15th June last, that the United States Government should take some measures to discountenance and frustrate the illegal and improper practices resorted to by unscrupulous men to induce the Queen's subjects to leave Her Majesty's Dominions for the purpose of enlisting in the United States army. Mr. Seward informed me in reply that he had referred my note to the Secretary of War.

There the matter has apparently rested. In the meantime the number of complaints which reach me from Canadians serving in the United States army goes on increasing.

Among the many painful cases of illegal enlistment which came before me, these are perhaps the most distressing. For the victims are often youths, or mere boys, not speaking or understanding English who have been enticed, deceived and sometimes kidnapped in the most heartless manner. Many of the representations made to me are no doubt exaggerated, untrue and even fraudulent, but I cannot doubt that some of the complaints are but too well founded. It would be useless to encumber this despatch with copies of the voluminous correspondence in which I am engaged, or individual cases of this description with the United States Government, with Her Majesty's Consuls, and with private persons. The cases follow the usual routine.

The Secretary of State refers them to the Secretary of War—the Secretary of War orders an investigation, or rather calls upon the Recruiting Officers for a Report. The Recruiting Officers protest that they never enlist any one except in the most cautious and scrupulous manner, that the allegations in the individual case are altogether false, and that the enlistment was perfectly legal and correct in all particulars. No other evidence except that of the recruit himself can be procured, and the United States Government acts upon the report of its own officers and keeps the men.

I venture, however, to submit to Your Lordship, copies of three despatches from Mr. Donohoe, Her Majesty's Consul at Buffalo, which convey a general idea of the nature and extent of the practices which prevail. I add a copy of the note from me to Mr. Seward of the 15th June, which I have mentioned above; a copy of Mr. Seward's answer to it; a copy of a despatch which I have written to the Governor General of Canada, and a copy of a despatch which I have written to Mr. Consul Donohoe.

Your Lordship will perceive, that I have asked the Governor General for his advice on the subject, and have begged him to consider whether there are any further steps which can be taken by me with a view to diminishing the evils or any special suggestions which I can make to the Government of the United States, with a view to inducing that Government to co-operate with the Canadian authorities in efforts to put a stop to the nefarious practices complained of.

I have, &c.,

The Earl Russell, K. G.,
&c., &c., &c.

(Signed) LYONS.

(*Copy.*)

No. 397.

Earl Russell to Lord Lyons.

FOREIGN OFFICE,

August 25th, 1864.

MY LORD,—Her Majesty's Government approve Your Lordship's proceedings as reported in your despatch No. 568 of the 9th instant, with regard to the nefarious plans of unscrupulous agents for obtaining in Canada recruits for the naval and military service of the United States.

Her Majesty's Government cannot doubt the willingness of the United States Government to take measures for discountenancing and fustrating such illegal practices, and they hope that you will receive before long a satisfactory answer to the note which you addressed to Mr. Seward on this subject on the 15th June. In the meantime Your Lordship will continue to remonstrate in such case of illegal enlistment from the Canadian Frontier.

I have, &c.,

The Lord Lyons,
&c., &c., &c.

(Signed) RUSSELL.

(*Copy.*)

No. 88.

Mr. Cardwell to Lord Monck.

DOWNING STREET,

1st November, 1864.

MY LORD,—With reference to your despatch No. 134, of the 23rd of September, I have the honor to forward to you a copy of a letter from the Foreign Office, with a despatch

from Mr. Burnley to Earl Russell, on the subject of the nefarious practices that have been resorted to by certain persons to obtain recruits in Canada for the United States army.

Your Lordship appears to be using your best endeavors for the suppression of these practices, and I do not doubt that if you find the law ineffectual for this purpose, your Government will readily submit to the Provincial Legislature such amendments as will render it effective.

I have, &c,
(Signed,) EDWARD CARDWELL.

Viscount Monck,
&c., &c., &c.

(*Copy.*)

Mr. Hammond to Sir F. Rogers.

FOREIGN OFFICE,
October 12, 1864.

SIR,—With reference to my letter of the 26th August, I am directed by Earl Russell to transmit to you copies of a despatch (No. 61), and its enclosures from Mr. Burnley, on the subject of recruiting in Canada for the United States army, and I am to suggest that you should move Mr. Secretary Cardwell to enquire whether the parties in Quebec and other places in Canada, who are concerned in these transactions, cannot be punished by Canadian laws.

I am, &c.,
(Signed, E. HAMMOND.

Sir F. Rogers, Bt.,
&c., &c., &c.

(*Copy.*)

Mr. Burnley to Earl Russell.

No. 61.

WASHINGTON, September, 23, 1864.

MY LORD,—Your Lordship's despatch, No. 397, of the 25th ultimo, on the subject of the unscrupulous way in which agents obtained recruits in Canada for the naval and military service of the United States, expressed a hope that a satisfactory answer would soon be received to the note which Lord Lyons addressed to Mr. Seward on the 18th June.

I therefore thought it advisable to recall the subject to Mr. Seward's recollection in a note,—copy of which I have the honor to enclose.

I beg to enclose copy of Mr. Seward's answer, which to my mind is not very satisfactory, inasmuch as it cannot be said that such transactions are practically arrested, as cases of this kind are still brought before the Legation and represented to the State Department.

I had reason the other day to send Viscount Monck, a copy of a letter received through Her Majesty's Consul at Boston, from some kidnapped seamen, who specified by name, parties in Quebec who apparently carried on this traffic, and were receiving large sums for doing so.

I have, &c.,
(Signed,) J. H. BURNLEY.

Earl Russell, K.G.,
&c., &c., &c.

(*Copy.*)

Mr. Burnley to Mr. Seward.

WASHINGTON, September 16th, 1864.

SIR,—Lord Lyons, in his note of the 15th June, had the honor of addressing you on the subject of the nefarious practices resorted to by unscrupulous persons in seducing

youths from their homes in Canada and inducing them to enlist in the United States army. His Lordship's note called attention to the observations made on this subject by Her Majesty's Consul at Buffalo, in the latter part of his despatch, which formed the enclosure of the above mentioned note, and suggested for your consideration, whether the United States Government should not take some measures to discountenance and frustrate the illegal and improper practices alluded to.

I need hardly say that this is a subject which engages largely the attention of the Governor General of Canada and Her Majesty's Government, and I am convinced that any measures which the Government of the United States might adopt towards helping to frustrate such practices, would prove most acceptable both to the Canadian authorities and to Her Majesty's Government.

I have, &c.,
(Signed,) J. H. BURNLEY.

The Honorable W. H. Seward,
&c., &c., &c.

(*Copy.*) *Mr. Seward to Mr. Burnley.*

DEPARTMENT OF STATE,
Washington, September 19th, 1864.

SIR,—I have the honor to acknowledge the receipt of your note of the 16th instant, in which referring to Lord Lyons' note of the 15th of June last, concerning the nefarious practices resorted to by unscrupulous persons in seducing youths from their homes in Canada and inducing them to enlist in the United States army, you intimate that this is a subject which engages largely the attention of the Governor General of Canada and Her Majesty's Government, and you then remark that any measures which the Government of the United States might adopt towards helping to frustrate such practices would prove most acceptable both to the Canadian authorities and to Her Majesty's Government. I have the honor to inform you in reply, that since complaints of the nature above indicated have arisen, this Government has used, as it will continue in the future to use, all diligence in preventing, and when discovered, in severely punishing such transactions, and that it believes they are practically arrested.

I have, &c.,
(Signed,) W. H. SEWARD.

J. H. Burnley, Esq.

(*Copy.*) *Mr. Cardwell to Viscount Monck.*

No. 88. DOWNING STREET, 10th November 1864.

MY LORD,—I have the honor to acknowledge the receipt of your despatch No 147, of the 10th ultimo, reporting the conviction of two persons who had been actively engaged in enticing British subjects into the service of the United States, and I have to request that you will inform me what sentences were passed upon these men.

I have, &c.,
(Signed,) EDWARD CARDWELL,

Governor Viscount Monck,
&c., &c., &c.

(*Copy.*) *Mr. Cardwell to Viscount Monck.*

No. 95. DOWNING STREET, 5th December, 1864.

MY LORD,—Having communicated to Earl Russell Your Lordship's despatch No. 141, of 3rd October, relative to certain British seamen who complained of having being

decoyed into the service of the United States by some lodging-house keepers at Quebec, I have the honor to enclose, for your information, a copy of the answer received from the Foreign Department.

I have already in my despatch No. 83, of 1st November, acknowledged Your Lordship's endeavors to suppress the practice of enticing British subjects in Canada to enlist in the service of the United States, and have expressed my confidence that if the existing law should prove insufficient for the purpose, your Ministers would be ready to propose any fresh Legislation which may be requisite.

I have, &c.,

Governor Viscount Monck. Signed,) EDWARD CARDWELL.
&c., &c., &c.

(*Copy.*)

Mr. Layard to Sir F. Rogers.

FOREIGN OFFICE, November 4th, 1864.

SIR,—I have laid before Earl Russell your letter to Mr. Hammond of the 28th ult., enclosing copies of papers received from the Governor General of Canada, relative to the manner in which several British seamen were induced by certain boarding-house keepers at Quebec to enter the United States army.

I am to request that you will state to Mr. Secretary Cardwell, in reply, that it appears from these papers that the British subjects in question, received a certain amount of bounty, and Lord Russell conceives that if they did not mean to enlist, they should have refused the bounty.

It must be questionable how far British sailors who have accepted one or two hundred dollars bounty are entitled to complain, and it must of course be difficult to obtain redress in such cases.

I am, &c.,

Sir Frederic Rogers, Bart, (Signed,) A. H. LAYARD.
&c., &c., &c.

(*Copy.*)

No. 8.

Lord Monck to the Duke of Newcastle.

GOVERNMENT HOUSE,
Quebec, February 1st, 1864.

MY LORD DUKE,—I have the honor to acknowledge the receipt of Your Grace's despatch No. 7, of the 16th January, and in reply, beg to refer you to my despatch No. 7, of January 27th, which goes home by this mail, and which contains all the information I at present possess on the subject of recruiting in Canada for the army of the United States.

I have to apologize for referring Your Grace to another despatch, but the mail goes out to-day and I have not time to write more at length.

I shall take care to keep Your Grace informed of any new facts which may reach me in connection with this subject.

I have, &c.

His Grace the Duke of Newcastle. (Signed,) MONCK.

(*Copy.*) *Lord Monck to Mr. Cardwell.*

No. 131. QUEBEC, 5th September, 1864.

SIR,—I have the honor to transmit for your information, copies of despatches that I have received from Lord Lyons, enclosing copies of letters to His Excellency from Mr. Donohoe, Her Majesty's Consul at Buffalo, in reference to the attempts that certain persons in the United States have been making to obtain recruits in Canada for the United States army. I have not succeeded in procuring evidence on which I could request Lord Lyons to bring the cases mentioned by Consul Donohoe under the notice of the United States Government, but I am using every effort for that purpose, and I am happy to observe in Consul Donohoe's last letter which forms part of the correspondence herewith enclosed, that the increased vigilance of the Canadian Police has had some effect in checking the practices of which he had previously complained.

Lord Lyons, 8th August, 1864. Eight enclosures.

Lord Lyons, 17th August, 1864 One enclosure.

I have, &c.,

(Signed) MONCK.

(*Copy.*) *Denis Godley to Denis Donohoe, Esq.*

QUEBEC, 15th August, 1864.

SIR,—Her Majesty's Minister at Washington, has transmitted to the Governor General a copy of a despatch from you, dated Buffalo, July 25th, 1864, calling attention to the proceedings of crimps in obtaining recruits for the naval and military service of the United States, from amongst Her Majesty's subjects in Canada, and has requested to be furnished with sworn testimony respecting the cases of two men which are alluded to in your despatch. As there is no name mentioned in the case of the man who was drugged by a German on board one of the steamers between Toronto and Lewiston, it would much facilitate the enquiries which Lord Monck has directed to be made into the matter, if you could supply this additional information, and, by His Excellency's desire, I have the honor to request you to communicate it to me if it should be in your power to do so.

I have, &c.,

(Signed) DENIS GODLEY,
Civil Secretary.

Denis Donohoe, Esq., H. B. Majesty's Consul, Buffalo.

(*Copy.*) *Denis Donohoe to Denis Godley, Esq.*

BRITISH CONSULATE,
Buffalo, August 19th, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 15th instant, asking for information as to the name of the man alleged to have been drugged on board one of the steamers between Toronto and Lewiston, which circumstance was incidentally mentioned in my despatch to Lord Lyons of the 25th ultimo, as illustrating the system pursued by the crimps engaged in obtaining recruits for the American army and navy from amongst Her Majesty's subjects in Canada.

I regret to say that I am unacquainted with the man's name, but when the circumstance was related to me, my informant stated that the man was a servant of a gentleman residing in the neighbourhood of Niagara, C. W., and that he had been sent to Toronto with a pair of horses, and that upon his return on board the steamer, the drugging took place. I apprehend that the circumstances of this case are notorious in the neighbourhood of Niagara, and if the local authorities would enquire of Miss Stephenson, the aunt of the boy Allinson, alluded to in my despatch of the 25th ultimo to Lord Lyons, a copy of which

despatch is in possession of His Excellency the Governor General, I have no doubt Miss Stephenson can give the name of the man. Miss Stephenson resides at Niagara.

I have, &c.,

(Signed) DENIS DONOHOE,
Her Majesty's Consul.

Denis Godley, Esq., Civil Secretary, &c., &c., Quebec.

(*Copy.*)

Lord Monck to Mr. Cardwell.

No. 134.

QUEBEC, 23rd September, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 66, of the 5th instant, covering a copy of a communication from Her Majesty's Minister at Washington to Earl Russell, relative to the suppression of illegal practices in obtaining recruits from Canada for the army of the United States.

Lord Monck to Lord Lyons, 15th August, 1864.

I have the honor to transmit for your information, a copy of the answer which I returned to Lord Lyons's despatch to me of August 9th, and which was by some inadvertence omitted to be enclosed in my despatch to you, No. 131, of 5th instant.

I have given directions that the attention of the local police authorities should be specially directed to the necessity of increased vigilance with regard to the practices alluded to and in some cases where it was judged advisable, I have stationed special detective officers at suitable places to assist the ordinary police force.

I feel, however, quite satisfied that no efforts on my part will be effectual for the suppression of these practices, so long as the Government of the United States continues to pay agents for the procurement of recruits for their army.

If no pecuniary advantage would accrue to any person from bringing a recruit to enlist, there would be no inducement offered by the Government of the United States to persons to commit the crime of kidnapping, and if this source of the evil which is constant in its operation were removed, I think the occasional increase of crimes of this nature from the payment on the part of private individuals for substitutes at the time of a compulsory draft might be effectually met by additional vigilance at those periods on the part of the police.

The only suggestion, therefore, which I have to offer is that an effort should be made to induce the Government of the United States to abrogate the regulation under which payments are made—in the name, I think, of "bringing money" to persons who procure recruits to enlist in the army of the United States.

I have, &c.,

The Right Honorable E. Cardwell, M. P. (Signed) MONCK.

(*Copy.*)

Lord Monck to Mr. Cardwell.

No. 141.

QUEBEC, 3rd October, 1864.

SIR,—I have the honor to transmit copies of a despatch and enclosure which I have received from the Charge d'affaires of Her Majesty's Legation at Washington. As it appears to me of great importance to follow up, as quickly as possible the information contained in the memorial to Her Majesty's Consul at Boston, I despatched a legal gentleman to that place to take the sworn depositions of the persons who signed that memorial, and I was able to obtain for him a letter accrediting him to Her Majesty's Consul at Boston rom Lord Lyons, who was fortunately here at the time.

11.438, 19th September.

30th September, 1864.

I have the honor to transmit also a copy of a report from the Attorney General, C. E showing some other measures which have been adopted with a view to defeat the intention of those who are engaged in the kidnapping, or decoying British subjects into the military or naval service of the United States.

I have, &c.,

(Signed) MONCK.

The Right Honorable E. Cardwell.

Copy of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Governor General, on the 29th September, 1864.

On a memorandum, dated the 29th instant, from the Honorable the Attorney General, L. C., stating that as it appears that British sailors and others continue to be kidnapped or taken by violence, or under false pretences from the Province, with a view to cause them to enlist in the American army, and that efforts are still being made in this Province to obtain recruits and substitutes for them, in violation of the law—he recommends that some competent person (and he suggests Colonel Ermatinger) be employed to visit the Districts of St. Francis, Bedford and Iberville, with a view to the repression of this illegal traffic, and the punishment of those guilty of infraction of the law—under such instructions as he may receive from him, the Attorney General.

He further recommends that an allowance of six dollars per day and travelling expenses, be made to the gentleman so to be appointed, and that the same be charged to the police service and to the branch of miscellaneous expenditure.

The Committee submit the above recommendation of the Attorney General for Your Excellency's approval.

Certified,

(Signed) WM. H. LEE, C. E. C.

Copy.) *Attorney General Cartier to Lord Monck.*

CROWN LAW DEPARTMENT,

Quebec, September 30th, 1864.

The undersigned has the honor to report to His Excellency the Governor General, with reference to the nefarious practice which has unfortunately for some time been carried on in this Province, of enticing away sailors and other British subjects to enlist in the American army, that, after taking cognizance of the letter from various sailors in Boston harbour lately forwarded by Her Majesty's Consul at Boston, and having communicated with the Judge of the Sessions of the Peace at Quebec, an arrangement has been entered into with the latter gentleman, by which a number of the Water Police under his control have been despatched to Richmond, and two of that body ordered to accompany the Railway cars to and from Richmond, and to act in concert with the Judges of the Sessions of the Peace at Quebec and Montreal. A gentleman has also been despatched to Boston. and has been directed to obtain, under the auspices of the British Consul there, as Your Excellency is aware, the depositions on oath of those sailors.

Besides which, Colonel Ermatinger, an active Magistrate, and formerly Superintendent of Police at Montreal, has been engaged to visit the Districts of St. Francis, Bedford and Iberville, bordering on the frontier, to use his best exertions to repress the above illegal traffic, and to bring to punishment those guilty of infraction of the law.

By the combined efforts of these gentlemen, the undersigned has reason to believe that a discontinuance of this evil or at least a considerable check, will be effected.

(Signed) GEO. ET. CARTIER, Attorney General.

(*Copy.*)

No. 147.

Lord Monck to Mr. Cardwell.

QUEBEC, October 10. 1864.

SIR,—With reference to my despatch No. 141 of the 3rd October, in which I forwarded to you information with respect to the enticing of British subjects into the naval and military service of the United States of America, and in which I acquainted you with the measures I had taken to put a stop to these practices, I have now the honor to transmit to you a Report from the Attorney-General for Canada East, informing me of the conviction before the Court of Queen's Bench at Sherbrooke, of two of the men who have been most actively engaged in these illegal proceedings.

I have, &c.,

The Right Hon. E. Cardwell. (Signed,) MONCK.

(*Copy.*)

Attorney-General Cartier to Lord Monck.

CROWN LAW DEPARTMENT,

Quebec, October 8th, 1864.

The undersigned has the honor to report to His Excellency the Governor General that two of the men most actively engaged in the traffic alluded to in his report, of the 30th ult., were yesterday convicted before the Court of Queen's Bench, at Sherbrooke, of a violation of the Foreign Enlistment Act.

(Signed,) GEO. ET. CARTIER.

(*Copy.*)

No. 180.

Lord Monck to Mr. Cardwell.

QUEBEC, November 30, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch (No. 88) of the 10th instant, in reference to the case of two men, named respectively Dempsey and Burns, convicted at Sherbrooke of having been engaged in enticing British subjects into the service of the United States.

I have the honor to report that, subsequently to the date of my despatch of October 10th, Dempsey was sentenced to pay two fines, amounting in the aggregate to four hundred and fifty dollars, and Burns to an imprisonment for six months in the common jail.

The fines were paid, and Burns is now undergoing his term of imprisonment in the jail of Montreal.

I have, &c.,

The Right Honorable E. Cardwell, &c., &c., &c. (Signed,) MONCK.

(*Copy.*)

No. 208.

Lord Monck to Mr. Cardwell.

December 28th, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch, (No. 95) of the 5th instant, and the enclosed letter from Mr. Layard, respecting the practice of certain lodging-house keepers at Quebec, of enticing British subjects to enlist in the army and navy of the United States. I have reason to think that the measures I have adopted have caused a great diminution of crimes of this class, and I do not think any additional statutory powers will be required for their suppression.

I have, &c,

The Right Honorable E. Cardwell. (Signed,) MONCK.

(*Copy.*) *Lord Monck to Mr. Cardwell.*

No. 66. QUEBEC, March 2nd, 1865.

SIR,—Referring to the despatches noted in the margin, I have the honor to transmit for your information, a copy of a report from the Attorney General for Canada East, with reference to the proceedings which have been taken against certain persons, under the provisions of the Foreign Enlistment Act.

Lord Monck, No. 141, 3rd Oct., 1864, No. 147, 10th Oct., 1864.
Mr. Cardwell, No. 88, 10th Nov., 1864.
Lord Monck, No. 188, 10th Nov. 1864.

I have, &c,
(Signed,) MONCK.

The Rt. Honble. E. Cardwell.

Mr. Cardwell, No. 95, 5th Dec., 1864. Lord Monck, No. 203, 28th Dec., 1864. 2nd March. 1865.

III.—PASSPORTS.

Lord Lyons to Viscount Monck.

WASHINGTON, November 28, 1861.

MY LORD,—I have been for some time in communication with the United States Government, with a view to alleviate the inconvenience occasioned by the passport regulations, and especially by that which required all foreign passports to be sent to Washington to be countersigned.

I have the honor to transmit to Your Excellency, copies of two notes which I have received from the United States Secretary of State on the subject. Your Excellency will perceive that British subjects may now obtain the necessary counter-signature at Montreal, Portland, Boston and New York, as well as at this place.

1. From Mr. Seward, Nov. 25th, 1861.
2. From Mr. Seward, Nov. 27th, 1861.

I have, &c.
(Signed,) LYONS.

His Excellency Viscount Monck,
&c., &c., &c.

(*Copy.*) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, 25th November, 1861.

MY LORD,—I have the honor to inform you that, with a view to avoid the inconvenience which is understood to be occasioned by the regulation which requires passports for subjects or citizens of foreign countries to be sent hither to be countersigned, M. M. Oscar Irving, Jonathan Amory, and E. A. O. Adams, the passport agents of this Department at New York, Boston, and Portland, have respectively been authorized and directed gratuitously to countersign such passports at those ports.

(Signed.) W. H. SEWARD.

The Lord Lyons,
&c., &c., &c.

(*Copy.*) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, 27th November, 1861.

MY LORD,—I have the honor to acknowledge the receipt of your note of yesterday, submitting that it might be a great convenience to British subjects arriving from Canada

for the purpose of embarking at an American Port, if the counter-signature of the United States Consul at Montreal should be held to be at all times sufficient to render their passports valid.

In reply I have the honor to inform you that, pursuant to your suggestion, the Consul of the United States at Montreal has been authorized to countersign such passports. By this arrangement it will be left optional with British travellers either to obtain in Canada the counter-signature of the United States Consul at Montreal, or to procure at the port at which they embark, that of the Agent of this Department.

I have, &c.,

(Signed,) WILLIAM H. SEWARD.

The Lord Lyons,
&c., &c., &c.

(*Copy.*)

Lord Lyons to Viscount Monck.

WASHINGTON, January 28th, 1862.

MY LORD,—On the receipt of Your Excellency's despatch of the 14th inst., I addressed a note to the Secretary of State of the United States, explaining the regulations which you had established concerning the issue of passports, and expressing my hope that the counter-signature of the United States Consul General at Montreal, or of the Agents of the State Department at New York, Portland and Boston, would be affixed without difficulty to passports issued in conformity with those regulations. I received yesterday a note from the Secretary of State, stating that the regulations are deemed satisfactory and that instructions will be issued accordingly to the United States officials.

To Mr. Seward, January 24th, 1862.

From Mr. Seward, January 27th, 1862.

I have the honor to enclose copies of both notes for Your Excellency's information.

It will, of course, be very desirable, in order to avoid embarrassing questions with this Government, that the Passport Agents appointed by Your Excellency should be made fully aware that Foreigners naturalized in a British colony are not entitled to British protection beyond the limits of that colony. I do myself the honor to enclose a copy of an instruction on this subject addressed by order of Earl Russell to Her Majesty's Consul at Buffalo, on the 12th April last.

Assistant Secretary Murray, to Consul Donohoe, April 12th, 1861.

I have, &c.,

(Signed) LYONS.

The Viscount Monck,
&c., &c., &c.

(*Copy.*)

Lord Lyons to Mr. Seward.

WASHINGTON, January 24th, 1862.

SIR,—Since the receipt of the note which you did me the honor to address to me on the 5th ultimo, I have been in communication with the Governor General of Canada upon the subject of the arrangements to be made for the issue of passports to British subjects wishing to pass through the territory of the United States, and I have now the honor to inform you that those arrangements are completed. It has been decided that agents shall be appointed at various towns in Canada, who shall be appointed to issue to such persons as may require them, and may be entitled to them, certificates of their being British subjects, under the hand of the Provincial Secretary. These certificates will have the force of passports; they will be countersigned by the agent issuing them, and they will, it is

hoped, receive without difficulty the countersignature either of the United States Consul General in Canada, or of the agents of the State Department at the ports in this country, according to the regulations which you have laid down.

This arrangement will at once be put into force, and it will therefore be no longer in the power of the Mayors of Canadian Towns to issue passports or certificates of nationality as they have hitherto occasionally done. All such papers will in future be issued either by the Governor General himself or by the authorized agents.

I have, &c.,

(Signed) LYONS.

The Honorable William H. Seward,
&c., &c., &c.

(*Copy.*) *Mr. Seward to Lord Lyons.*

WASHINGTON, January 27th, 1862.

MY LORD,—I have the honor to acknowledge the receipt of your note of the 24th instant, relative to the arrangements which have been made for the issue of certificates having the force of passports to British subjects wishing to pass through the territory of the United States. In reply I have the honor to inform you that the proposal with regard to the counter-signature of those certificates, either by the Consul General of the United States in Canada, or by the Passport Agents of the Department at New York, Boston and Portland, meets with the approbation of the Department, and that those agents will be instructed accordingly.

I have, &c.,

(Signed) F. W. SEWARD.

The Lord Lyons.

(*Copy.*) *Mr. James Murray to Mr. Denis Donohoe.*

FOREIGN OFFICE, April 12th, 1861.

SIR,—I am directed by Lord John Russell to acknowledge the receipt of your despatch, No. 5, of 21st January last, requesting instructions as to whether you are to grant passports to Foreigners naturalized as British subjects in Canada; and I am to state to you in reply that, after consultation with the Secretary of State for the Colonies, His Lordship is of opinion that Foreigners naturalized in a British colony, can only enjoy the benefit of naturalization within the limits of such colony, and that when they travel beyond those limits they must be considered as subjects of the Power to which, even in Canada, they would have been subject, if they had not been naturalized in that Province.

I am, &c.,

(Signed) JAMES MURRAY.

Denis Donohoe, Esq.

(*Copy.*) *Lord Lyons to Viscount Monck.*

WASHINGTON, March 7th, 1862.

MY LORD,—I am officially informed by the Secretary of State of the United States, that the regulation some time since established by the State Department under the direction of the President, requiring all persons departing from or arriving in the United States to provide themselves with passports has been rescinded.

I am, however, at the same time informed that until further notice arrests will be made under the direction of the Secretary of War, of any persons who may reasonably be suspected of treason against the United States.

I have the honor to be, my Lord,
Your Lordship's most obedient humble servant,
(Signed) LYONS.

The Viscount Monck,
&c., &c., &c.

(*Copy,*) *Mr. J. Hume Burnley to Viscount Monck.*

WASHINGTON, February 6th, 1865.

MY LORD,—I have the honor to communicate to Your Excellency printed regulations in regard to passports issued by the State Department under the President's directions.

I have, &c.,
(Signed) J. HUME BURNLEY.

His Excellency Viscount Monck,
&c., &c., &c.

(*Copy.*) *Enclosure in Circulars of Mr. Seward to Consular Officers.*

DEPARTMENT OF STATE,
Washington, 17th December, 1864.

The President directs that except immigrant passengers directly entering an American port by sea, henceforth no traveller shall be allowed to enter the United States from a foreign country without a passport. If a citizen, the passport must be from this Department, or from some United States Minister or Consul abroad; and if an alien, from the competent authority of his own country; the passport to be counter-signed by a Diplomatic Agent or Consul of the United States.

This regulation is intended to apply especially to persons proposing to come to the United States from the neighboring British Provinces. Its observance will be strictly enforced by all officers, civil, military and naval in the service of the United States, and the State and Municipal authorities are requested to aid in its execution. It is expected, however, that no immigrant passenger, coming in manner aforesaid, will be obstructed, or any other persons who may set out on their way hither before intelligence of this regulation could reasonably be expected to reach the country from which they may have started.

WILLIAM H. SEWARD.

I. Passports for Canada and the adjoining British Provinces are issued for one year, and need not be surrendered within that period.

II. Citizens of the United States desirous of visiting Canada, may take out their passports either from United States Consulates or from this office.

III. United States Consular agents are authorized to issue passports, and may countersign those of Foreigners.

IV. Travellers making transit through Canada from one American port to another American port, must procure a passport.

V. Persons residing near the line, who desire to cross and re-cross daily, in pursuit of their usual avocations are "travellers" in the contemplation of the order, and must provide themselves with passports.

VI. Females and minor children, travelling alone, are included in the order. When, however, husband, wife, and minor children travel together, a single passport for the whole will suffice. For any other person in the party, a separate passport will be required.

VII. Should any person, native or foreign, clandestinely enter the United States in derogation of the order, the fact should be reported to the military authorities of the district.

To the Consular Officers of the United States in conterminous British Provinces.
(Circular No. 55.)

DEPARTMENT OF STATE,
Washington, 14th January, 1865.

Consular Officers in territories conterminous with the United States, on their Northern and North-eastern frontiers, are hereby authorized to receive United States currency in payment for passports, so long as the order of December 17th, 1864, shall remain in force, bearing in mind that the law requires five dollars as a fee for issuing a passport, which amount is payable into the United States Treasury, and in foreign countries a Consular fee of one dollar in addition.

The existing regulation by which Consular Agents were forbidden to give passports, is hereby rescinded for the period above mentioned. If any person shall have been charged more than the legal fees, as they are herein mentioned, the excess will be refunded to him by the Consul to whom the same has been paid, such payment to be reported to this Department. A uniform rate of charge is expected and enjoined. Passports to enter the British Provinces and return thence will be promptly issued by this Department on application in accordance with the passport regulations.

WILLIAM H. SEWARD.

General Instructions in regard to Passports.

DEPARTMENT OF STATE,
1st July, 1864.

Citizens of the United States visiting foreign countries, are liable to serious inconvenience if unprovided with authentic proof of their national character. Their best safeguard is a passport from this Department, certifying the bearer to be a citizen of the United States. Passports are issued upon application, supported by proof of citizenship.

On all subsequent occasions, a simple reference to the number and date of passport will be sufficient.

When the applicant is a *native citizen of the United States*, he must transmit an affidavit of this fact, signed by him, stating his age and place of birth, and sworn to by himself and one other citizen of the United States named therein, to whom he is personally known, and to the best of whose knowledge and belief the declaration made by him is true. This affidavit must be attested by a Notary Public, under his signature and seal of office. When there is no Notary in the place, the affidavit may be made before a Justice of the Peace or other Officer authorized to administer oaths.

If the applicant be a naturalized citizen, his certificate of naturalization must be transmitted for inspection. It will be returned with the passport. The widow or children of a naturalized citizen must transmit the certificate of the naturalization of the husband or the father, stating under oath that they are such widow or children.

The application should be accompanied by a description of the person, stating the following particulars, viz:—

Age:	Years:	Stature:
Feet,	inches, (English measure.)	
Forehead:	Eyes:	Nose:
Mouth:	Chin:	Hair:
Complexion:	Face:	

When the applicant is to be accompanied by his wife, children or servants, it will be sufficient to state the names and ages of such persons, and their relation to the applicant.

Persons who leave the country, expecting to obtain passports whilst abroad, from the Diplomatic or Consular Agents of the United States, are liable to disappointment, inasmuch as it is the duty of those Agents not to grant documents of that character, except to persons who are certainly known to be entitled to them; and it is sometimes difficult, if not impracticable, to procure proof of this fact in a foreign country.

Certificates of citizenship, or passports issued by State authorities, or by judicial or municipal functionaries of the United States, are not recognized by the Officers of foreign governments; and by the twenty-third section of the Act of Congress, approved on the 18th of August, 1856, it is made penal for such authorities and functionaries to issue such passports.

When husband, wife, and minor children expect to travel together, a single passport for the whole will suffice. For any other person in the party, a separate passport will be required.

A new passport will be expected to be taken out by every person, whenever he or she may leave the United States, and every passport must be renewed, either at this Department, or at a Legation or Consulate abroad, within one year from its date.

Five dollars tax, as imposed by law, will be required in United States currency, with each application.

The oath of allegiance to the United States, as prescribed by law, will be required in all cases.

Lord Monck to Lord Lyons.

(*Copy.*)

QUEBEC, 18th August, 1864.

MY LORD,—I have the honor to acknowledge the receipt of your despatch of August 11th, enclosing a letter from Mr. C. Tidy, making enquiry with respect to the credentials which should be issued by the Government of Canada to British subjects proceeding to the United States, in order to enable such persons to assert their rights in that character.

In reply, I have the honor to inform Your Excellency, that certificates of the sort referred to by Mr. Tidy, may be obtained by any person who can prove his right to be considered a British subject, from authorized Agents of the Canadian Government throughout the Province.

These Agents are directly nominated by myself, and their appointment is notified in the *Royal Gazette.*

I have the honor to transmit a copy of the form of certificate at present and for some time past in use.

I have, &c.,

His Excellency, The Lord Lyons. (Signed,) MONCK.

(*Copy.*)

Lord Monck to Mr. Cardwell.

No. 15.

QUEBEC, January 13th, 1865.

SIR,—Referring to my despatch (No. 200), of Dec. 19th, I have the honor to report that within the last few days, most stringent regulations with reference to the enforcement of the order relative to the passport system between Canada and the United States, have been adopted and enforced at all points along the frontier line.

These regulations not only produce great personal inconvenience, but are also calculated to create great impediments to the commercial intercourse between the two countries.

I therefore think it my duty to call your attention to the system, in order that you may consider whether any steps can be adopted to mitigate the effects of its operation.

I have, &c.,

The Rt. Hon. E. Cardwell, &c., &c., &c. (Signed,) MONCK.

The Duke of Newcastle to Lord Monck.

(Circular.)

DOWNING STREET,
27th December, 1861.

MY LORD,—I have the honor to inform you that the United States Government have made an arrangement by which British subjects embarking from New York, Boston, or Portland, may obtain the requisite counter-signature to their passports from the agent of the American Department of State at each of those ports, or if coming from Canada, may procure, if they prefer it, the counter-signature of the United States Consul at Montreal, which will equally suffice to render the passport valid.

This option has been offered by the United States Government, upon the application of Her Majesty's Minister at Washington, in order to promote the convenience of British travellers.

I have, &c.,
(Signed) NEWCASTLE.

Governor, The Viscount Monck.
&c., &c., &c.

(Copy.)

Mr. Cardwell to Viscount Monck.

No. 31.

DOWNING STREET,
25th February, 1865.

MY LORD,—I have received your Lordship's despatch, No. 15, of the 13th of January, reporting that regulations have been established by the Government of the United States for a stringent enforcement of the passport system between that country and Canada, and representing that these regulations not only produce much personal inconvenience, but are also calculated to create great impediments to the commercial intercourse between the two countries.

I need scarcely assure you that I much lament the very serious inconvenience which has been occasioned by these regulations to the inhabitants of Canada: but Her Majesty's Government hope that the measures you have taken will remove the apprehensions which have given rise to them, and under the circumstances of the case, have not thought that it would be expedient as yet to address any official representation on the subject to the Government of the United States.

I have, &c.,
(Signed) EDWARD CARDWELL.

Viscount Monck.
&c., &c., &c.

(Copy.)

Mr. Cardwell to Viscount Monck.

Circular.

DOWNING STREET,
2nd June, 1865.

MY LORD,—I have the honor to transmit to you for your information, a copy of a notice which has been communicated by Her Majesty's Consul at Boston, to the Secretary of State for Foreign Affairs, announcing that vessels having passengers on board whose passports are not duly viséd will not be allowed to discharge.

17th April, 1865.

I have, &c.,
(Signed) EDWARD CARDWELL.

Viscount Monck,
&c., &c., &c.

(Copy.) *Office of the A. A. Provost Marshal General and Military Commander.*

Boston, April 17th, 1865.

To carry out the instructions of the President, prohibiting travellers from entering the United States from foreign countries by sea, without passports, and the instructions of the State and War Departments to the same end: Masters and Owners of Steamers and Passenger Vessels are notified that no vessels will be allowed to discharge hereafter, bringing passengers without passports duly *viséd*. This does not apply to ordinary emigrants.

The Masters of such Steamers and Passenger Vessels must themselves see that all their passengers embarking at a foreign port for this country, are furnished with passports duly *viséd*, on penalty of detention, both of passengers and cargo on arrival.

(Signed) F. N. CLARKE,
Major 5th Artillery, U. S. A., A. A. Provost Marshal-General and Military Commander.

IV.—MAINTENANCE OF NEUTRALITY AND DESIGNS OF REFUGEES.

Lord Lyons to Viscount Monck.

(Copy.)

WASHINGTON, November 30th, 1863.

MY LORD,—I have the honor to transmit to Your Excellency, copies of a letter and its inclosures, which I have received to-day from Mr. Seward, and which relate to the projected incursion from Canada into these States.

I have informed Mr. Seward that I send copies of his letter and its inclosures to Your Excellency, and to Her Majesty's Government.

I have, &c.,
(Signed,) LYONS.

His Excellency, Viscount Monck,
&c., &c., &c.

Mr. Seward to Lord Lyons.

(Copy.)

DEPARTMENT OF STATE,
Washington, Nov. 30th, 1863.

MY DEAR LORD LYONS,—I give you, for your information, a copy of despatches received from Major General Dix, on our frontier affairs.

In the present peaceful aspect of affairs, we shall not make any such military demonstrations or preparations on the Vermont line, as General Dix suggests. Nor shall I call on Her Majesty's Government for any special attention in that direction; nevertheless, you may, perhaps, think it expedient for you to communicate to the Governor General, the information contained in General Dix's despatches, and suggest to His Excellency the desirableness of continued watchfulness, for the present, on the border in the vicinity of Montreal.

I am, &c.,
(Signed,) W. H. SEWARD.

Major General Dix to Hon. E. M. Stanton.

(Copy.)

(Telegram—Received 3.20 p.m.)

NEW YORK, Nov. 28th, 1863.

Hon. Edwin M. Stanton,
Secretary of War.

Colonel Ludlow telegraphs all is arranged well in Vermont.

(Signed,) JOHN A. DIX,
Major General.

Major General Dix to Hon. E. M. Stanton.

(Copy.) (Telegram—Received 5.50 p.m.)

NEW YORK, Nov. 25, 1863.

Hon. Edwin M. Stanton,
Secretary of War.

I sent a detective into Canada from Buffalo; he returned this morning direct from Montreal, and reports that there is no movement on foot. The Governor of Vermont asks for 5,000 rifled muskets, a large quantity of ammunition, horses for a battery, and authority to station troops at Swanton, St. Albans, and Burlington. Should not the Canadian authorities be called on, through the British Minister, to prevent by military force, the organization of marauding expeditions on British soil against the towns on our frontier, as a violation of every principle of international law. If not repressed, they will lead to a border war in spite of any precautions we can take. I send Colonel Ludlow to Vermont, immediately on receipt of the Governor's letter, to confer with him. If any authority beyond what I possess is needed I will ask for it.

(Signed) JOHN A. DIX,
Major General Commanding Department of East.

(Copy.) *Lord Lyons to Viscount Monck.*

WASHINGTON, January 13th, 1864.

MY LORD,—I have the honor to transmit to Your Excellency, copies of a note and its enclosure which I received yesterday from the Secretary of State of the United States, and which relate to a gathering of so-called Confederates at Windsor in Canada.

I have, &c.,
(Signed) LYONS.

His Excellency Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, 12th January, 1864.

MY LORD,—I have the honor to communicate a copy of a Telegram this day received from United States Consul General at Montreal, relative to a supposed gathering of insurgents at Windsor, Canada. This information is imparted in order that you may take into consideration the expediency of making the same known to Her Majesty's authorities in Canada.

I have, &c.,
The Lord Lyons. (Signed) W. H. SEWARD.

(Copy.) *Consul General Giddings to Mr. Seward.*

UNITED STATES MILITARY TELEGRAPH,
WAR DEPARTMENT,
Montreal, January 12th, *via* New York, January 12th, 1864.

Lieutenant Braite, Colonel Talbot, and other Confederates are on their way to Windsor. There seems to be a concentration there for some purpose.

(Signed) J. R. GIDDINGS,
The Hon. Wm. H. Seward, United States Consul.
&c., &c., &c.

(Copy.)

Lord Lyons to Viscount Monck.

WASHINGTON, June 2nd, 1864.

MY LORD,—I have the honor to transmit to Your Excellency, copies of a note which I have received from the Secretary of State of the United States, and of its enclosure relative to the passage of an unusual number of persons styled by him disloyal citizens of the United States, through St. John, New Brunswick, *en route* for Canada.

I enclose a copy of the answer which I have made to the note of the Secretary of State.

I have, &c.,

His Excellency Viscount Monck, &c., &c., &c.

(Signed) LYONS.

(Copy.)

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, May 31st, 1864.

MY LORD,—I have the honor to enclose a copy of a despatch of the 26th instant, from J. T. Howard, Esq., the Consul of the United States at St. John, New Brunswick, relative to the passage through that city of unusual numbers of disloyal citizens of the United States, among them the insurgent leader Frost.

Under these circumstances I would suggest that your Lordship would do well to call the attention of the Governor General to this movement, with a view to the adoption of such precautionary measures as will frustrate any hostile expedition against the United States from Her Majesty's Provinces, should such be contemplated.

I have, &c.,

The Lord Lyons.

(Signed) W. H. SEWARD.

(Copy.)

Mr. J. T. Howard to Mr. F. W. Seward.

UNITED STATES CONSULATE.
St. John, N. B., May 26th, 1864.

SIR,—I beg leave to inform the Department that an unusually large number of disloyal citizens of the United States have quite recently passed through this city *en route* for Canada, *via* Fredericton and Riviere du Loup. The greater part of these insurgents have been living for some months in Halifax, others have found their way North from Nassau and Bermuda. The rebel General Frost, has also recently proceeded to Canada from St. John. In view of these facts it is possible that another raid from Canada upon our northern frontier may be attempted.

I have, &c.,

F. W. Seward,
Assistant Secretary of State.

(Signed) J. T. HOWARD.

(Copy.)

Lord Lyons to Mr. Seward.

WASHINGTON, June 2nd, 1864.

SIR,—I have the honor to acknowledge the receipt of your note of the day before yesterday, enclosing a copy of a despatch from Mr. J. T. Howard, Consul of the United States at St. John, New Brunswick, relative to the passage through that city of unusual numbers

of persons hostile to the United States, *en route* for Canada. I have without loss of time brought the matter to the notice of His Excellency the Governor General of that Province.

I have, &c.,

(Signed) LYONS.

Honorable W. H. Seward,
&c., &c., &c.

(Copy.) *Lord Lyons to Viscount Monck.*

WASHINGTON, August 9th, 1864.

MY LORD,—I have the honor to transmit to Your Excellency, a copy of a note which I have received to-day from the Secretary of State of the United States, and copies of papers which were enclosed in it, and which relate to reported projects of enemies of the United States now in Canada.

I have, &c.,

His Excellency Viscount Monck, (Signed) LYONS.
&c., &c., &c.

(Copy.) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, August 9th, 1864.

MY LORD,—I have the honor to enclose a copy of a communication of the 8th instant, from the War Department, in regard to reported hostile projects of insurgent citizens of the United States lurking in Canada.

I will thank Your Lordship to communicate this information to His Excellency the Governor General of Canada, with a view to inquiry into the matter, and to the adoption of precautionary measures, if such may seem to be called for.

I have, &c.,

The Lord Lyons. (Signed) W. H. SEWARD.

(Copy.) *Col. R. H. Hill to Captain C. H. Potter.*

MILITARY COMMANDER'S OFFICE,
Detroit, Michigan, July 30, 1864.

CAPTAIN,—Since my letter to you, of yesterday's date, information has been communicated to me, that points to an attempt by rebel refugees in Canada, at the destruction of our cities on the Lake.

This coincides more with the impression I formed in the interviews referred to with the persons who were desirous of selling information. There is now frequent communication between the refugees at Windsor and Messrs. Saunders & Co., at Niagara Falls, and a telegraphic despatch was yesterday received at Windsor from Saunders, summoning three of the most prominent of the refugees to Niagara.

There are floating rumors that they are in possession of some machines to be mounted on vessels.

I communicate this because you may be in possession of information to which this may offer some clue.

I am, &c.,

(Signed,) R. H. HILL,
Lieut.-Col. 5th U. S. Artillery,
Military Commander, Dist. of Michigan.

Official Copy.
(Signed,) E. D. Townsend,
Assist. Adjt. Genl.,
Adjutant General's Office,
Washington, August 8, 1864.

(Copy.) *Colonel R. H. Hill to Captain C. H. Potter.*

HEAD QUARTERS, DISTRICT OF MICHIGAN,
Detroit, 29th July, 1864.

SIR,—I have the honor to report that I have on two occasions been approached by persons living in Canada, with proposition to divulge something of great importance to the Government for the sum of five thousand dollars; they promised to put me in possession of papers, &c. I replied on both occasions that the information they desired to communicate might already be in possession of the Government, that I could make no stipulation to pay such a sum, but if they were really in possession of information valuable, they could communicate it and rely on the Government to pay what it was worth. This was declined in both cases. The person who made the last proposition I am still in commuication with. He represented that he is an English subject in a Banking House, at Windsor, that he has joined the scheme or plot, and can give me full information, but that he will only do so on condition of being paid the sum above mentioned, as he would have to leave Canada, considering his life in danger if he remained there. I have thought it proper to communicate this matter, as the Major General Commanding *or* the Government may be in possession of information which may give some clue as to whether or not the disclosure proposed to be made is of any real importance.

I am, &c.
(Signed,) R. H. HILL, Lieut. Col.,
Commanding District of Michigan.

Captain Carroll H. Potter, A. A. G.,
Head Quarters, Northern Department.

(Copy.) *Mr. E. D. Townsend to Mr. Seward.*

WAR DEPARTMENT,
Adjutant General's Office,
Washington, Aug. 8th, 1864.

SIR,—I am instructed by the Secretary of War to transmit to you the enclosed copies of two letters from Lieutenant Colonel R. H. Hill, United States Army, in relation to certain rumors of rebel plots against the United States, said to be on foot in Canada.

I have, &c.,
(Signed,) E. D. TOWNSEND,
Assist. Adjutant General.

Honorable W. H. Seward,
&c., &c.

J. Hume Burnley (for Lord Lyons) to Viscount Monck.

(Copy.) WASHINGTON, November, 23, 1864.

MY LORD,—I have the honor to transmit to Your Excellency herewith, copies of a note and of its enclosures, which I received this day from the Secretary of State of the United States, relative to the alleged schemes of so-called Confederates in Canada against the United States.

I have, &c.,
(Signed,) (for Lord Lyons) J. HUME BURNLEY.

His Excellency,
The Viscount Monck,
&c., &c., &c.

(Copy.) *From Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, 22nd Nov., 1864.

MY LORD,—I have the honor to enclose an extract from a communication of the 17th inst., addressed to this Department by His Excellency the Governor of Vermont, relative to the hostile schemes of insurgent agents in Canada against the United States. I must request Your Lordship to ask the earnest attention of Her Brittanic Majesty's Government to the subject.

I have, &c.,
(Signed,) W. H. SEWARD.

The Lord Lyons.

(Copy.) *Extract.*

* * * * * * * * *

"Mr. Edmunds informs me that Messrs. Clay, Saunders and Westcott, (late Senator from Florida,) still continue to threaten retaliation, and openly say that they are organized both in Canada East and West, and prepared for action. My advices from perfectly reliable sources, are, that in their secret conclaves, their plans are being discussed and perfected, and that they threaten that they will destroy the towns of Burlington and St. Albans within thirty days. They are cognizant of our movements here for the defence of the frontier, being informed by their spies how many muskets have been distributed and to what towns. There is no movement made of which they are not informed, as they have spies in every town. The action of our Legislature is reported to them, and they are familar with the discussion of every measure which may affect them.

J. Hume Burnley (for Lord Lyons) to Viscount Monck.

(Copy.) WASHINGTON, November 30th, 1864.

MY LORD,—I have the honor to transmit to Your Excellency herewith, copies of a note and of its enclosures, which I have received from the Secretary of State of the United States, relative to the alleged existence of a military organization in Canada of fugitives from the United States.

I have, &c.,
(Signed,) (for Lord Lyons) J. HUME BURNLEY.

His Excellency the Governor General,
&c., &c., &c.

Mr. Seward to Lord Lyons.

(Copy.) WASHINGTON, November 29th, 1864.

MY LORD,—I have the honor to invite your attention to the enclosed copy of a communication of the 25th instant from the War Department, giving a copy of a report of the 22nd instant from Major General Dix, in regard to the existence of a military organization of insurgent fugitives from the United States in Canada.

I have, &c.,
(Signed) W. H. SEWARD.

The Lord Lyons.

(Copy.) *C. A. Dana (Assistant Secretary of War) to Mr. Seward.*

WAR DEPARTMENT,
Washington City, November 25th, 1864.

SIR,—The Secretary of War desires me to transmit for your information, the enclosed copy of a letter from Major General Dix, relative to the disturbed condition of the Northern frontier.

I have, &c.,
(Signed) C. A. DANA,
Assistant Secretary of War.

Hon. W. H. Seward.

(Copy.) *Major General Dix to Mr. E. M. Stanton.*

HEAD QUARTERS, DEPARTMENT OF THE EAST,
New York City, November 22nd, 1864.

SIR,—I have the following reliable information :—

There are about forty rebels in Marysburgh, Prince Edward's County, Canada, on the North side of Lake Ontario, and North-west of Oswego. They drill regularly about three times a week, and are armed with revolvers. They board with the farmers in the neighbourhood; seem to have plenty of money and say they belong to John Morgan's corps. These organizations for hostile purposes on Canadian soil are so plainly in violation of all the obligations of neutral. y that I cannot doubt the willingness of the Canadian authorities to put an end to them on proper notice.

There are some indications of retaliation on the part of our citizens along the frontier, on account of the outrage on the Detroit river, and at St. Alban's, and I think the publication of my report in regard to the former would have a salutary influence on both sides of the line.

I am, &c.,
(Signed) J. A. DIX.
Major General.

Honorable E. M. Stanton,
&c., &c., &c.

(Copy.) *Mr. Burnley to Lord Monck.*

WASHINGTON, December 5th, 1864.

MY LORD,—The Secretary of State of the United States has requested me to transmit to Your Excellency, the accompanying copy of a memorial addressed to him by W. A. Howard, Esq., on behalf of the people of Michigan, living on the frontier adjacent to the British possessions, in relation to their exposed condition in consequence of the danger of hostile proceedings by evil disposed persons collected on the Canadian side.

I have, &c.,
(Signed;) J. HUME BURNLEY.

His Excellency,
Viscount Monck,
&c., &c., &c.

(Copy.) *The Honorable the Secretary of State.*

The undersign' in behalf of the people of Michigan, living on the frontier, respectfully represent that the border from Lake Erie to Lake Huron, a distance of eighty miles, is much exposed to raids from evil disposed persons collected on the Canada side. From Lake Erie to Lake St. Clair, a distance of thirty miles, is only a river, and from Algonac,

at the mouth of St. Clair River to Lake Huron, some twenty-five or thirty miles, over border, is separated only by St. Clair River. A large Volunteer Police Force may measurably protect Detroit and the Detroit River below the city. But Port Huron and the villages of Algonac and St. Clair, and indeed the border on the whole length of the St. Clair River is greatly exposed. It is respectfully asked that the Government take such measures as will effectually prevent robbers and raiders from visiting the border along the St. Clair River.

(Signed,) WM. A. HOWARD.

Washington, 2nd Dec., 1864.

(Copy.) *J. Hume Burnley to Viscount Monck.*

WASHINGTON, December 14, 1864.

MY LORD,—I have the honor to transmit to Your Excellency herewith copies of a note and of its enclosures, which I have received from the Secretary of State of the United States, and in which it is alleged that imminent danger exists of invasion of the United States from Canada.

I have, &c.
(Signed,) J. H. BURNLEY.

His Excellency,
The Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Seward to Mr. Burnley.*

DEPARTMENT OF STATE,
Washington, Dec. 13th, 1864.

SIR,—I give you, for the information of the Governor General of Canada, a copy of a communication which has just been received from Major General Dix, showing the existence of imminent danger of invasion of the United States from Canada. I trust that it will receive His Lordship's immediate and effective attention.

I have, &c.,
(Signed,) WM. H. SEWARD.

J. H. Burnley, Esq.,
&c., &c., &c.

(Copy.) *Mr. C. A. Dana to Mr. Seward.*

WAR DEPARTMENT,
Washington, Dec. 12, 1864.

SIR,—The Secretary of War directs me to transmit for your information, and for such action as you may consider necessary, a copy of a letter from Major General Dix, relative to the plans of the rebels in Canada.

I have, &c.,
(Signed.) C. A. DANA,
Assist. Secretary of War.

Honorable W. H. Seward,
&c., &c., &c.

(Copy.)

Major General Dix to Hon. E. M. Stanton.

HEAD QUARTERS, Department of the East,
New York City, Dec. 10, 1864.

SIR,—There are such strong indications of a purpose on the part of the rebels in Canada to burn and plunder our frontier towns, that I deem it my duty to ask for a Regiment of mounted men for their protection. I have reliable information that organized expeditions are now in preparation for the purpose, and I have no force to spare for resisting them. If such a Regiment cannot be put at my disposal, I ask authority to raise five companies of mounted men, to be distributed along the frontiers of New York and Vermont. It is very desirable that they be mounted in order to make the pursuit of the raiders effectual.

It is reported to me on authority which I cannot doubt, that Col. Butler's Regiment of Kentucky Cavalry has been furloughed to meet in Canada, and is making its way there.

I am, &c.,
(Signed,) JOHN A. DIX,
Major General.

Honorable E. M. Stanton,
Secretary of War.

(Copy.)

J. H. Burnley to Viscount Monck.

WASHINGTON, December 21st, 1864.

MY LORD,—I have the honor to transmit to Your Excellency herewith, a copy of a note which I have received from the Secretary of State of the United States, and copies of its enclosures, relative to certain intercepted correspondence from persons residing in Canada.

I have, &c.,
His Excellency the Viscount Monck. (Signed) J. HUME BURNLEY.

(Copy.)

W. H. Seward to J. H. Burnley.

DEPARTMENT OF STATE,
Washington, 19th December, 1864.

SIR,—I have the honor to communicate for your information, a copy of an instruction of this Department of the 6th instant, and of its enclosures addressed to Mr. Adams, United States Minister at London, on the subject of certain intercepted correspondence of insurgents residing in Canada.

I have, &c.,
J. H. Burnley, Esq. (Signed) W. H. SEWARD.

(Copy.)

October 31st, 1864.

MY OWN DEAREST,—The party taking this leaves here to-night. If he reaches you *safely*, he will deliver most important communications from Mr. C. and myself. I must ask you and May to copy mine in *large* hand writing that it may be easily and intelligibly read. R. will show it to you. If either or both the plans are acceded to, I must remain here during the winter, and therefore I must beg you and Annie to join if you can come through the North, *if not do not attempt the blockade*, it is too perilous, and I should be wretched to think you were coming that way. If these plans which I have labored to perfect, as I never labored before in *all* my life, are not adopted, then I can see no further

object in my remaining here, and you need not join me, but I will you, as soon as possible. I do not, however, anticipate a refusal by the Department to acquiesce, for all our friends here whom I have consulted consider the plans most eligible and fortunate for this Government, indeed, (this will be in a short time *at least*,) the only course we have left open. If all is well, therefore, I shall expect you to leave as soon as you conveniently can after you have been informed of the favorable entertainment of the enterprises.

I received all your letters written at Afton in September, down to your letter of the 30th September, the day you returned to Richmond *this morning*, and what a glorious comforting treat they were to me. Tell Ned his usual *scratch note* came, which I managed better to read than usual, and that I will send his letter to Miss K, promptly. Tell him she paid me a visit, taking a lunch with me, and leaving me a shawl for him, which I will send or bring him when I can; she seems to be very devoted to him. I sent him a letter from her *via* Halifax or Wilmington.

How thankful I am, my own love, that our kind Father in Heaven has preserved our dear boys through so many dangers, and you, may own precious darling M., little A. and dear E. in health and christian patience through so many trials and privations. Oh! may He give me a grateful and humble heart for all His wonderful mercies to me, unworthy, sinful creature that I am. May's letter by flag of truce of the 7th of October, is the latest intelligence from you. I shall send a personal directed to letter A. to-morrow, which you may get before this. Do stir R. to attend to my business promptly and energetically and with life and spirit. I would do as much and a thousand times more for him, were it in my power. I sympathize truly with poor old Tom and his family. Give him my love. How blessed are we in the dispositions and habits of our boys. I hope you have received before this, the shirts, hats, cloth—the shoes sent you all from Toronto. The cavalry boots and uniform for Tim and $50 in American gold sent you by the Honorable Y. P. H., whom I see got safely in, although the steamer was lost and Mrs. Greenhow's and other's lives.

I have tried to communicate with my dear sister and send her a little gold, but have been wholly unsuccessful in both. May her Father to whom she is so faithful have her and her dear ones to the third generation in His holy keeping. I am grieved to hear our noble brave boy is so destitute of clothes, but hope ere this his wants have been supplied. I am surprised that the President has not even replied to your application for a cadetship for him. Don't give it up, General Curtis' Secretary might help you. My thumb is entirely well, but I have given it of necessity a great tax this morning, having been writing five or six hours without resting. I shall await anxiously replies to them, particularly as re-union with my darling depends on it. May God bless you all.

Your devoted husband,

(Copy.)

St. Catharines, C. W.,

November 1st, 1864.

Hon. J. P. Benjamin,
Secretary of State, Richmond, Va.

Sir,—You have doubtless learned through the press of the United States, of the raid on St. Albans, Vt., by about 25 Confederate soldiers, nearly all of them escaped prisoners, lead by Lt. Bennett H. Young; of their attempt and failure to burn the town, and of the robbery of three Banks there of the aggregate amount of about $200,000; of their arrest in Canada by United States forces; their commitment, and the pending preliminary trial. There are 12 or 14 of the 25 who have been arrested, and who are now in prison at Montreal, where the trial for commitment for extradition is now progressing. A letter from the Hon. J. J. N. Abbott, the leading Counsel for the prisoners, dated Montreal, 28th Oct., says to me: "We (prisoners' Counsels) all think it quite clear that the fact will not justify a commitment for extradition under the law as it now stands, and we conceive the strength of our position to consist in the documents we hold establishing the authority of the raiders from the Confederate States Government; but there is no doubt that this authority might be made more explicit than it is, in so far as regards the *particular* acts

complained of, and I presume the Confederate Government will consider it to be their duty to recognise officially the acts of Lieut. Young and his party, and will find means to convey such recognition to the prisoners here in such a form as can be proven before our Courts. If this were accompanied or followed by a demand upon our Government that the prisoners be set at liberty, I think a good effect would be produced, although, probably the application would not be received by the authorities. There will be at least a fortnight's time and probably more expended in the examination of witnesses, so that there will be plenty of time for anything that may be thought advisable to be done in behalf of the prisoners."

I met Mr. Young at Halifax on my way here in May last. He showed me letters from men whom I knew by reputation to be true friends of States' Rights, and therefore of Southern Independence, vouching for his integrity as a man, his piety as a Christian and his loyalty as a soldier of the South. After satisfying me that his heart was with us in our struggle, and that he had suffered imprisonment for many months as a soldier of the Confederate States of America, from which he had escaped, he developed his plans for retaliating some of the injuries and outrages inflicted upon the South. I thought them feasible and fully warranted by the law of nations, and therefore recommended him and his plans to the Secretary of War. He was sent back by the Secretary of War with a a Commission as 2nd Lieut. to execute his plans and purposes, but to report to Hon. —— and myself. We prevented his achieving or attempting what I am sure he could have done, for reasons which may be fully explained hereafter. Finally, disappointed in his original purpose, and in all the subsequent enterprises projected, he proposed to return to the Confederate States, via Halifax but passing through the New England States and burning some towns, and robbing them of whatever he could *convert to the use of the Confederate Government.* This I approved as justifiable retaliation. He attempted to burn the town of St. Albans, Vermont, and would have succeeded but for the failure of the chemical preparations with which he was armed. Believing the town was already fired in several places, and must be destroyed he then robbed the banks of all the funds he could find, amounting to more than two hundred thousand dollars That he was not prompted by selfish or mercenary motives, and that he did not intend to convert the funds taken to his own use, but to that of the Confederate States, I am as well satisfied as I am that he is an honest man, a true soldier and patriot, and no one who knows him will question his title to this character. He assured me before going on the raid that his efforts would be to destroy towns and farm houses, not to plunder or rob; but, he said, if after firing a town, he saw he could take funds from a Bank or any house, which might inflict injury on the enemy and benefit his own Government, he would do so. He added most emphatically that whatever he took should be turned over to the Government or its representatives in foreign lands. My instructions to him, oft repeated, were: "to destroy whatever was valuable, not to stop to rob; but if after firing a town he could seize and carry off money, treasury or bank notes, he might do so on condition that they were delivered to the proper authorities of the Confederate States. That they were not delivered according to his promise and undertaking was owing, I am sure, to the failure of his chemical compound to fire the town, and to the capture of himself and men on Canadian soil, where they were surprised and overpowered by superior numbers from the United States. On showing me his Commission and his instructions from Mr. Siddon, which were of course vague and indefinite, he said he was authorized to do all the damage he could to the enemy *in the way of retaliation.* If this be true, it seems to me the Confederate States Government should not hesitate to avow his act was fully authorized as warrantable retaliation. If the Government do not assume the responsibity of this raid, I think Lt. Young and his men will be given up to the United States authorities. If so, I fear the exasperated and alarmed people of Vermont will exert cruel and summary vengeance upon them before they reach the prison at St. Albans.

The sympathies of nine-tenths of the Canadians are with Young and his men. A majority of all the newspapers justify or excuse his act as merely retaliatory, and they desire only the authority of the Confederate States Government for it, to refuse their extradition. The refusal of extradition is fully warranted by the like course of the United States in many cases cited lately in the Canadian papers, which I cannot now repeat, but which you can readily find. The refusal of extradition would have a salutory political influence, it is thought, both in the British provinces and in England. I cannot now ex-

plain why. I trust, therefore, for the sake not only of the brave soldiers who attempted this daring exploit (which has caused a panic throughout the United States bordering on Canada, and the organization of forces to resist, as well as the arbitrary and tyrannous order of Gen. Dix, touching the coming Presidential election) but for the sake of our cause and country, the President will assume the responsibility of the act of Lieut. Bennet H. Young, and that you will signify it in such a form as will entitle it to admission as evidence in the pending trial.

I send the special messenger who bears this that your answer may be brought back by him within 10 days or by the 11th inst. The final judgment can and will be postponed for the action of the Confederate States Government as long as possible—certainly for ten days.

I avail myself of this opportunity to bring to your notice the case of Capt. Charles H. Cole, another escaped prisoner of Gen. Forrest's command, who was taken about six weeks since on the "Michigan," the Federal war steamer on Lake Erie, and is charged with an attempt at piracy (for attempting to capture the vessel), with being a spy, &c., &c. The truth is that he projected and came very near executing a plan for the capture of that vessel, and the rescue of the prisoners on Johnson's Island. He failed only because of the return of the Captain (Carter) of the "Michigan" a day sooner than expected, and the betrayal (in consequence of Capt. Carter's return) of the entire plot. The only plausible ground for charging him with being a spy is that he was in Sandusky, on Johnson's Island, and in the "Michigan" frequently, without having on his person the Confederate uniform, but wearing the dress of a private cititizen. Mr. —— and I have addressed a letter to the Commandant at Johnson's Island, protesting against his being treated as a spy for the following reasons:—"That he was in the territory of the United States as a prisoner against his consent, that he escaped by changing his garb; that he had no Confederate uniform when he visited Sandusky, Johnson's Island, and the "Michigan;" that he did not visit them as an *emissary from the Confederate States*; that whatever he conceived he had not executed anything; that he had conveyed no information to his Government, and did not contemplate conveying any information to the Government." His trial has been postponed; I know not why or for what time. His exchange should be proposed, and notice given that any punishment inflicted on him will be retaliated upon an officer of equal rank. He is a very brave and daring soldier and patriot, and deserves the protection of his Government.

I wrote to you on the 14th June; to the President on the 25th July; to you on the 11th August and 12th September last. I trust you have received those letters. Mr. H., who, I see, has gotten into the Confederate States, has doubtless explained things here. I have never received a line from you or any person, excepting my brother at Richmond. I have not changed the views expressed in my former communications. All that a large portion of the northern people, especially in the North West, want to resist the oppression of the despotism at Washington is a *leader*. They are ripe for resistance, and *it may come soon after the Presidential election*. At all events it must come, if our armies are not overcome and destroyed or dispersed. No people of the Anglo-Saxon blood can long endure the usurpations and tyrannies of Lincoln. Democrats are more hated by northern Republicans than Southern Rebels, and will be as much outraged and persecuted if Lincoln is re-elected. They must yield to a cruel and disgraceful despotism or fight. They feel it, know it. I do not see that I can achieve anything by remaining longer in this Province, and unless instructed to stay shall leave here by the 20th inst., for Halifax, and take my chances for running the blockade. If I am to stay till Spring, I wish my wife to join me under flag of truce, if possible. I am afraid to risk a winter's residence in this latitude and climate. I need not sign this; the bearer and the person to whom it is addressed can identify me. But I see no reason why your response should not be signed and sealed so as to make it evidence, as suggested, in respect to the St Alban's raid. A statement of prisoners' Counsel has been sent by way of Halifax and Wilmington, but it may never reach you, or not in time for the deliverance of the prisoners. This is my chief reason for sending this by one I think I can trust. Please reply promptly and start the messenger back as soon as possible. He will

explain the character of his mission. Send under a seal that cannot be broken without being discovered.

I am respectfully,
Your most obedient servant,
_____

N. B.—See the Secretary of War, Mr. Siddons, touching your case.

(Copy.) *Major-Gen. C. C Augur to Hon. E. M. Stanton.*

HEADQUARTERS DEPARTMENT OF WASHINGTON,
22nd Army Corps, Washington, D. C., Nov. 12th, 1864.

Hon. E. M. Stanton,
Secretary of War, &c., &c.

In conjunction with Colonel Well's, I have examined the papers found upon his person, and herewith transmit them for the consideration of the War Department. They are as follows, viz: Two envelopes and enclosures. The first of these envelopes has no address written upon it, but bears upon its reverse a seal in red wax, impressed apparently by an ordinary signet ring. Though the wax has been somewhat broken the letters "C. C. C. F." or the main portions thereof can be made out. This envelope contains two enclosures. The first is a letter upon a single sheet of white note paper, of a very thin description, like the envelope which contains it. This letter is dated "St. Catharines, Canada West," and is addressed to "My dear Ginie." It is also marked "No. 20" at its head, but has no signature. At the bottom on the fourth page is a sort of postscript marked "H. L. C.," and urging that an immediate answer should be sent. There is also posted at the head of the note a "Personal" cut from some newspaper addressed to "Mrs. Caroline V. Tracy," and signed "T. E. Lucy." The second enclosure in this envelope is a letter a letter written upon one and a half sheets of thin blue letter paper, also dated at "St. Catharines, Canada West, Nov. 1st.," addressed to the "Hon. J. P. Benjamin, Secretary of State, Richmond, Va." It relates to the recent attack upon St. Albans, Vermont, and also to one Capt. Cole, a Rebel officer, captured on the United States steamer *Michigan*, and appeals to the Confederate Government to recognize and acknowledge the acts of these parties. This first envelope and its two enclosures I have marked letter A.

The second envelope is also of thin white paper, but bears neither seal nor address. It contains three enclosures; first, a thin piece of blank blue paper covering two letters. The first of these letters is dated "Oct. 31st, 1864," without the name of the place at which it was written. It is addressed at the top, "My own dearest," and is signed "Your devoted husband," but without the name of the writer.

This letter, as well as its companions in the same envelope, is written upon thin blue paper, precisely like that contained in the envelope marked A. The other letter in this second envelope bears neither date nor address at the top, but is headed "Extract from the proposition of ——, sent forward." It relates to the proposition of a party in the United States to furnish provisions for the Rebel Army on the Mississippi river, and at places within Gen. Butler's Department. The second envelope and its enclosures I have marked B.

I have, &c.,
(Signed,) C. C. AUGUR,
Major-Genl. Commanding

(Copy.) *Mr. Seward to Mr. Adams.*

DEPARTMENT OF STATE,
Washington, 6th December, 1864.

To C. F. Adams, Esq.

SIR,—You will receive herewith a copy of intercepted correspondence which will be found to support the protest you have been instructed to offer to Her Majesty's Govern-

ment against the use of the British Provinces, on our border, as a base for aggressive robbery and murder. The original papers are in my hands. We know that they are genuine. You will use them as shall seem expedient. They are preceded by extracts from a report of Major-Gen. Augur, by whom the bearer of the illicit correspondence was arrested. That Report describes the intercepted correspondence.

I am, &c.,

(Signed,) W. H. SEWARD.

(Copy.) *J. H. Burnley to Viscount Monck.*

WASHINGTON, 22nd December, 1864.

MY LORD,—I have the honour to transmit to Your Excellency herewith, a copy of a note which I have received from the Secretary of State of the United States, relative to an alleged organization formed in Halifax for seizing United States ships on the Lakes situated between the United States and Canada, and at different points along the Atlantic and Pacific coasts.

I have, &c.,

(Signed,) J. H. BURNLEY.

His Excellency,
Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. W. H. Seward to J. H. Burnley.*

DEPARTMENT OF STATE,
Washington, 21st Dec., 1864.

SIR,—I have the honour to state, for the information of Her Brittanic Majesty's authorities, that by a despatch of the 13th instant, from the United States Consul at Halifax, I have been apprized of the existence of a piratical organization, consisting of about 300 persons, which has been formed for the purpose of seizing, plundering, destroying, or, where it may be practicable, of appropriating steamers and other vessels belonging to citizens of the United States, at different points along the Atlantic and Pacific coasts, and on the Lakes situated between the United States and Canada. The Consul states that this body of desperadoes will separate into smaller parties and operate at different points; that a portion of the band will remain at Nassau, that several persons belonging to the organization have pretended Commissions from the so-called Secretary of the Navy of the insurgents in arms against this Government; that some of the parties connected with this organization left Halifax recently on the steamer *Acadie*, which sailed for Nassau *via* Havana; that Braine, one of the piratical leaders engaged in the seizure of the steamers *Chesapeake* and *Roanoke*, was at Halifax two or three days before the Consular despatch referred to was written; and that he left under an assumed name in a schooner for Nassau; that McDonald, who was associated with Braine in the seizure of the *Chesapeake*, is said to be in Canada in the vicinity of the Detroit.

I have, &c.,

(Signed,) W. H. SEWARD.

J. H. Burnley, Esq.

(Copy.) *J. Hume Burnley to Viscount Monck.*

WASHINGTON, December 24th, 1864.

MY LORD,—With reference to the correspondence which has taken place between Your Excellency and this Legation, relative to a memorial of W. A. Howard, Esq., on the

part of the inhabitants of Michigan, in regard to their apprehension of danger from rebel emissaries in Canada, I have the honour to transmit to Your Excellency, a copy of a despatch which I have received from the Secretary of State of the United States, stating that Your Excellency's proceedings in the matter are highly appreciated by the United States Government.

I have, &c.,
(Signed,) J. HUME BURNLEY.

His Excellency, Viscount Monck.

(Copy.) *Mr. Seward to Mr. Burnley.*

DEPARTMENT OF STATE,
Washington, 22nd December, 1864.

SIR,—I have the honor to acknowledge the receipt of your note of the 18th inst., which is accompanied by a copy of a despatch from the Governor General of Canada, relative to a memorial of W. A. Howard, Esq., on the part of the inhabitants of Michigan in regard to their apprehension of danger from rebel emissaries in Canada. The proceedings of Lord Monck, therein mentioned, are highly appreciated by this Government.

I have, &c.,
(Signed,) W. H. SEWARD.

J. H. Burnley, Esq.

(Copy.) *Mr. J. H. Burnley to Viscount Monck.*

WASHINGTON, December 26th, 1864.

MY LORD,—I have the honor to acknowledge the receipt of Your Excellency's despatch of the 20th inst., informing me of the measures which Your Excellency had taken to prevent apprehended attempts of persons hostile to the United States, from Canada.

On receipt of Your Excellency's despatch, I saw Mr. Seward, and communicated to him verbally the information thus conveyed, and, at his request, sent him afterwards a memorandum on the subject, copy of which I have the honor to enclose.

Mr. Seward begged me to thank Your Excellency, and to state how highly he appreciated the efforts made to induce a good understanding between the two Governments.

I have, &c.,
(Signed,) J. HUME BURNLEY.

His Excellency,
The Viscount Monck, &c., &c.

(Copy.) *Memorandum.*

Relative to the apprehended attempts of persons hostile to the United States from Canada, Viscount Monck informs me that he has taken measures for the prevention of such acts, by the establishment of a detective Police Force under special Stipendiary Magistrates along the border between Canada and the territory of the United States.

Viscount Monck has also called out for permanent duty, a strong force of the Volunteer Militia, who are to be stationed on the frontier line.

These measures, Viscount Monck hopes, will effectually prevent any such attempts as those alluded to.

BRITISH LEGATION,
Washington, 26th December, 1864.

The Hon. W. H. Seward

(Copy.) *J. H. Burnley, to Viscount Monck.*

WASHINGTON, January 1st, 1865.

MY LORD,—I have the honor to transmit to Your Excellency herewith a copy of a note which I have received from the Secretary of State of the United States, in answer to a note which I addressed to him on the receipt of your despatch of the 27th ult., suggesting certain measures to be taken relative to the alleged plots in Canada against the United States.

I have, &c.,
(Signed.) J. H. BURNLEY.

The Right Honorable,
Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Seward to Mr. Burnley.*

DEPARTMENT OF STATE,
Washington, 31st December, 1864.

SIR,—I have the honor to acknowledge the receipt of your note of yesterday, communicating to me the suggestions kindly made by His Excellency Viscount Monck with a view to the detention and punishment of persons who have been plotting on Canadian soil against the neutrality of Her Majesty's Dominions; and, in reply, to inform you that they are under consideration.

I must beg you to assure His Excellency that the spirit which he has manifested in the matter is cordially appreciated by this Government.

I have, &c.,
(Signed) W. H. SEWARD.

J. H. Burnley, Esq.

(Copy.) *Mr. J. Hume Burnley to Viscount Monck.*

WASHINGTON, January 5th, 1865.

MY LORD,—With reference to Your Excellency's despatch of the 26th ultimo, forwarding to me, for the information of the Government of the United States, copy of a General Order issued on the occasion of Your Excellency sending troops to be stationed on the frontier line between Canada and the United States, I have the honor to transmit herewith copy of a note which I have received from the Secretary of State of the United States, expressing the satisfaction of the United States Government.

I have, &c.,
(Signed) J. HUME BURNLEY.

His Excellency
Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Seward to Mr. Burnley.*

DEPARTMENT OF STATE,
Washington, January 3rd, 1866.

SIR,—I have the honor to acknowledge, with sincere gratification, the receipt of your note of the 31st ultimo, which is accompanied by a General Order, issued by His Excellency the Governor General of Canada, having for its object the maintenance of neutrality between the British Provinces and the United States. I hope that the recent scenes, so

painfully affecting the relations between the two countries, may be prevented from recurring.

I have, &c.,

(Signed) W. H. SEWARD.

J. H. Burnley, Esq.

(Copy.) *Mr. J. Hume Burnley to Viscount Monck.*

WASHINGTON, January 7, 1865.

MY LORD,—With reference to Your Excellency's despatch of the 26th ultimo on the subject of an alleged military organization in Canada of fugitives from the United States, I have the honor to forward to you herewith, a copy of a despatch which I have received from the Secretary of State of the United States, thanking Your Excellency for the steps you caused to be taken in this matter.

I have, &c.,

(Signed,) J. HUME BURNLEY.

The Right Honorable,
Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. F. W. Seward to Mr. Burnley.*

DEPARTMENT OF STATE,
Washington, 4th January, 1865.

SIR,—I have the honor to acknowledge the receipt of your communication of the 31st ultimo, relative to an alleged military organization in Canada of fugitives from the United States. In reply, I have the honor to state, that the efforts which were made by Her Majesty's authorities to ascertain the truth in regard to the representations on the subject, are very gratifying to this Government. It is hoped that the result may prove the conclusion arrived at by those authorities to be well founded.

I have, &c.,

(Signed,) F. W. SEWARD,
Acting Secretary.

J. H. Burnley, Esq.,

(Copy.) *Mr. J. H. Burnley to Viscount Monck.*)

WASHINGTON, January 12, 1865.

MY LORD,—With reference to Your Excellency's despatch of the 28th of December, relative to the alleged organization at Halifax, Nova Scotia, of a body of men for predatory attacks on the commercial shipping of the citizens of the United States, and stating that the Government of Canada will use every means in their power to prevent the execution of any such plans, I have the honor to transmit to Your Excellency herewith, copy of a despatch from the Secretary of the United States, requesting me to convey to Your Excellency his thanks for this communication.

I have, &c,

(Signed,) J. H. BURNLEY.

His Excellency, The Viscount Monck.

(Copy.) *Mr. Seward to J. H. Burnley.*

DEPARTMENT OF STATE,
Washington, 10th January, 1865.

SIR,—I have the honor to acknowledge with much satisfaction, the receipt of your communication of the 3rd inst., in regard to the readiness of the Canadian authorities to prevent the consummation of the hostile intention of a certain body of men at Halifax, which formed the subject of my note of the 21st ultimo.

I have, &c..
(Signed,) W. H. SEWARD.

J. H. Burnley, Esq.

(Copy.) *J. Hume Burnley to Lord Monck.*

WASHINGTON, January 25th, 1865.

MY LORD,—I have the honor to transmit to Your Excellency herewith, a copy of a note which I have received from the Secretary of State of the United States, relative to alleged preparations on the part of enemies of the United States, said to be lurking in Canada, to make a formidable incursion on certain points on United States territory.

I have, &c.,
His Excellency the Viscount Monck, (Signed) J. HUME BURNLEY.
&c., &c.. &c.

(Copy.) *Mr. Seward to Mr Burnley.*

DEPARTMENT OF STATE,
Washington, 21st January, 1865.

SIR,—I have the honor to acquaint you, for the information of the Canadian authorities, that it has been represented to this Department from a credible source that enemies of the United States, lurking in Canada, are preparing to make a formidable incursion into the territory of the United States, for the purpose of committing depredations at Burlington in Vermont, and Whitehall in New York, while Lake Champlain shall remain frozen over, and to destroy the shipping in the harbors at those ports; that their plans are matured and that the reason they have not already attempted their execution was the re-arrest of the St. Alban's felons, which induced them to postpone the movement until the decision of the Court in the case of those felons can be ascertained.

I have, &c.,
J. H. Burnley, Esq. (Signed) W. H. SEWARD.

(Copy.) *J. Hume Burnley to Viscount Monck.*

WASHINGTON, February 9th, 1865.

MY LORD,—I have the honor to transmit to Your Excellency herewith, copies of a note and of its enclosure, which I have received from the Secretary of State of the United States, relative to a marauding expedition into Canadian territory, alleged to be projected by persons in the United States.

I have, &c.,
(Signed) J. HUME BURNLEY.

His Excellency,
The Viscount Monck,
&c., &c., &c.

(Copy.)

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, 8th February, 1865.

SIR,—I have the honor to enclose a copy of a letter of yesterday, addressed by command of Major-General Dix, by Charles O. Joline to Major N. Robinson, commanding Northern Division of New York, in regard to an organization reported to be progressing at or near Cape Vincent, with a view to a marauding expedition into Canadian territory, as an act of retaliation for that upon St. Albans. I will thank you to advise the Canadian authorities of this project, and that the Secretary of the Treasury and the Attorney General have been apprized of the facts, and requested to instruct the officers of the United States subject to their orders to take measures to prevent any such movement.

I have, &c.,
(Signed) WM. H. SEWARD.

(Copy.)

Major C. O. Joline to Major-General Robinson.

HEAD QUARTERS, DEPARTMENT OF THE EAST,
New York City, 7th February, 1865.

Major General J. C. Robinson,
Commanding Northern Division of New York, Albany

GENERAL,—The Commanding General has information that a man named "Briggs" has been for some time past and *is now* engaged in organizing a body of men at or near *Cape Vincent*, with the avowed object of making a raid upon "Kingston in retaliation for that upon St. Albans."

The Commanding General directs that you make immediate investigation as to this allegation, and that your utmost efforts be used to prevent the outrage, if the same appears to be contemplated.

By Command of Major-General Dix,
(Signed) CHARLES O. JOLINE,
Major and A. D. C.

(*Official.*)

HEAD QUARTERS DEPARTMENT OF THE EAST,
New York City, 7th February, 1865.

C. O. Joline, Major, and A. D. C.

Respectfully forwarded to the Secretary of State for his information.

(Signed) JOHN A. DIX,
Major-General.

(Copy)

Mr. J. Hume Burnley to Viscount Monck.

WASHINGTON, February 16th, 1865.

MY LORD,—I communicated to the Secretary of State of the United States, a copy of Your Excellency's despatch of the 31st ultimo, relative to a raid stated to be in contemplation by persons in Canada upon the towns of Burlington and Whitehall, and I have now the honor to transmit a copy of the Secretary of State's reply, requesting me to convey to Your Excellency his thanks in the matter.

I have, &c.,
(Signed) J. HUME BURNLEY.

His Excellency
Viscount Monck,
&c., &c., &c.

(Copy.)

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 14th, 1865.

SIR,—I have the honor to acknowledge the receipt of your note of the 7th inst., and of the accompanying copy of a despatch from the Governor General of Canada, who states therein, in reference to the contemplated raid by the insurgents in Canada upon the towns of Burlington, Vermont, and Whitehall, New York, that the Government of Canada will use every effort to prevent its successful issue, and I will thank you to convey to the Governor General an expression of my high appreciation of his disposition to prevent the execution of the raid.

I have, &c.,
(Signed) W. H. SEWARD, Secretary.

J. H. Burnley, Esq.,

(Copy.)

J. Hume Burnley to Viscount Monck.

WASHINGTON, February 25th, 1865.

MY LORD,—With reference to my despatch to Your Excellency of the 15th instant, and to previous correspondence respecting the proposed hostile expeditions against the United States from Canada, I have the honor to transmit to you herewith copies of a despatch, and of its enclosures, which I have received from the Secretary of State of the United States.

I have the honor to be,
My Lord,
Your Excellency's most obdt.,
Humble servant,
(Signed) J. HUME BURNLEY.

His Excellency Viscount Monck.

(Copy.)

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, 23rd February, 1865.

SIR,—Referring to my notes of the 7th and 17th instant, I have the honor to enclose, for the further information of the proper authorities of Her Majesty's Government, a copy of a despatch of the 13th inst., from M. M. Jackson, Esq., the United States Consul at Halifax, respecting the proposed hostile expedition against the United States from Canada.

I have, &c.,
(Signed) W. H. SEWARD.

J. H. Burnley, Esq.,

(Copy)

United States Consul Jackson to Mr. Seward.

CONSULATE OF THE U. S. OF AMERICA
at Halifax, Nova Scotia,
13th February, 1865.

Sir,—I have the honor to inform you that since my telegrams to you I have endeavored to procure further information in relation to the designs of the rebels, now in Canada, upon our Northern borders

I have ascertained that the rebels now scattered through several of the border towns in Canada, designed, sometime since, making another raid from Canada into the United States, but their operations have been suspended to await the result of the *judicial* proceedings in the Canadian Courts in the case of the St. Albans' raiders.

They aver, however that the result of those proceedings will not defeat their plans; and that at the earliest practicable period they will attempt to carry them into execution.

I have been informed that one of the points to be attacked is Oswego, New York.

They also make threats against Rochester.

The headquarters of these desperadoes are Toronto, Hamilton, Kingston and the other towns upon or in the vicinity of the Canadian border.

I have no doubt they will attempt the first favorable opportunity to consummate their plans; their objects being both to plunder and injure the people of the United States, and to create trouble (if possible a war) between the United States and Great Britain.

I have, &c.,

(Signed) M. M. JACKSON,
U. S. Consul,

(Copy.) *Lord Monck to Lord Lyons.*

His Excellency the Lord Lyons.

QUEBEC, 18th August, 1864,

MY LORD,—I have the honor to acknowledge the receipt of your despatch of the 9th inst., and enclosures, relating to reported plots amongst persons residing in Canada, against the Lake Cities of the United States.

I shall feel obliged if Your Excellency will assure Mr. Seward that I will use every means in my power to ascertain the truth of these reports, and to frustrate the plans of those who may attempt to violate the neutrality of Her Majesty's Dominion, should any such persons be found to exist.

I have, &c.,

(Signed) MONCK.

(Copy.) *Lord Monck to Lord Lyons.*

His Excellency the Lord Lyons.

QUEBEC, November 30th, 1864.

MY LORD,—I have the honor to acknowledge the receipt of Your Excellency's despatch of the 23rd instant and its enclosures, relative to the alleged schemes of so-called Confederates in Canada against the United States, and in reply I beg to assure Your Excellency that the matter shall receive the earnest attention of the Government of Canada.

I have, &c.,

(Signed) MONCK

(Copy.) *Lord Monck to Lord Lyons.*

His Excellency the Lord Lyons,

QUEBEC, December 6th, 1864.

MY LORD,—I have the honor to acknowledge the receipt, this day, of your despatch of November 30th, enclosing copies of the documents noted in the margin, respecting the alleged organization and drilling in Prince Edward County, C. W., of fugitives from the United States.

In reply I have the honor to state, for the information of Mr. Seward, that I will take immediate steps to investigate the accuracy of the information communicated to Major General Dix, and, should it prove well founded, I will use all legal means to put an end to the practice.

I have, &c.,
(Signed,) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. Hume Burnley, Esq.,

QUEBEC, December 12th, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 5th inst., transmitting to me, at the request of the Secretary of State of the United States, the memorial of W. A. Howard, Esq., on the part of the people of Michigan, living on the frontier adjacent to the British possessions, in relation to their apprehension of danger from hostile proceedings by evil disposed persons collected on the Canada side.

I have to request you will assure the Secretary of State of the United States, that the subject referred to has engaged and will continue to engage the anxious attention of the Canadian Government, with a view to prevent any violation of the neutrality of Her Majesty's Dominions.

I have &c.,
(Signed,) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. H. Burnley, Esq., QUEBEC, December 17th, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 11th instant and its enclosures, relative to the movements of the steamer *Georgian*, and to other proceedings reported to be on foot in Canada, hostile to the United States.

I have to request that you will inform Mr. Seward, that the Canadian Government is fully alive to the importance of preventing the formation of any plans hostile to the United States on British soil, and has taken stringent measures to that end both of a civil and military character.

I have, &c.,
(Signed,) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. Hume Burnley, Esq., QUEBEC, December 20th, 1864.
Washington.

SIR,—I have the honor to acknowledge the receipt of your despatch and enclosures of December 14th, relative to the apprehended attempts of persons hostile to the United States from Canada.

In reply I have the honor to inform you that I have taken measures for the prevention of such acts, by the establishment of a detective police force under special stipendiary Magistrates along the border between Canada and the territory of the United States.

I have also called out for permanent duty a strong force of the Volunteer Militia who are to be stationed on the frontier line. I trust that these measures will be effectual in preventing any such attempts as those alluded to in your despatch.

I shall feel obliged if you will communicate the substance of this despatch verbally to the Secretary of State of the United States.

I have, &c.,
(Signed,) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. H. Burnley, Esq.,
&c &c.

QUEBEC, Dec., 26th, 1864.

SIR,—With reference to your despatch of November 30th, on the subject of an alleged military organization in Canada of fugitives from the United States, I have the honor to transmit to you, for the information of the Government of the United States, a copy of a letter from Mr. Attorney General Macdonald, in which he states the steps that were taken for investigating the matter. You will observe that upon the strictest enquiry no trace of such an organization could be discovered.

I have, &c.,
(Signed) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. H. Burnley,

QUEBEC, December, 26th, 1364.

SIR,—I have the honor to transmit to you herewith, for the information of the Government of the United States, a copy of a General Order which I have issued on the occasion of my sending troops to be stationed along the frontier line, between Canada and the United States.

I have, &c.,
(Signed) MONCK,

(Copy.) *Lord Monck to Mr. Burnley.*

J. H. Burnley, Esq.
&c., &c., &c.
Washinghton,

QUEBEC, December, 27th, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch and enclosures of the 21st instant, relative to certain intercepted correspondence, from persons hostile to the United States residing in Canada.

It appears to me and to the legal advisers of the Crown in Canada, that this correspondence might be made the ground of an indictment against the persons implicated in it, if the clue afforded in some of the letters to their identification could be followed up.

I send by telegram, in cypher, this day a request that you will obtain from the Secretary of State, all the information, that can be procured on the subject, and I shall lose no time on receipt of your answer, in putting in operation the necessary means for the detection and punishment of persons who have been plotting on Canadian soil against the neutrality of Her Majesty's Dominions, should it be found possible to reach them by legal process.

I shall feel obliged if you will communicate the substance of this despatch to Mr. Seward, in order that he may be made aware of the object I have in view in my application to him on this subject.

I have, &c.,
(Signed) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. Hume Burnley, Esq.

QUEBEC, December 28th, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch and enclosure

of the 21st inst., respecting the alleged organization at Halifax, Nova Scotia, of a body of men for predatory attacks upon the commercial shipping of the citizens of the United States.

In reply, I beg leave to assure you, for the information of the Secretary of State of the United States, that the Government of Canada will use every means in their power to prevent the execution of any such plans within the bounds of this Province.

I have, &c.,

(Signed) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. H. Burnley, Esq.,
&c., &c., &c.

QUEBEC, January 31st, 1865.

SIR,—I have the honor to acknowledge the receipt of your despatch of January 25th, enclosing a note from the Secretary of State of the United States, respecting the designs of enemies of the United States lurking in Canada of making a formidable incursion on the towns of Burlington, Vermont, and Whitehall, New York.

I have to request that you will convey to Mr. Seward my assurance that the Government of Canada will use every exertion to detect and defeat such plans.

I have, &c.,

(Signed) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. H. Burnley, Esq.
&c., &c., &c.,
Washington,

QUEBEC, February, 18th, 1865.

SIR,—I have the honor to acknowledge the receipt of your despatch of February 9th, with copy of a note from the Secretary of State of the United States, respecting a reported organization at Cape Vincent, with a view to a marauding expedition upon Canadian tertory.

I shall feel much obliged if you will convey to Mr. Seward my thanks for the information, and for the steps taken by the authorities of the United States to frustrate the design.

I have, &c.,

(Signed) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. Hume Burnley, Esq.,
&c., &c., &c.,
Washington.

QUEBEC, March 4th, 1865.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 25th February, covering copies of a note and enclosure from the Secretary of State of the United States respecting the alleged formation by persons residing in Canada, of plans for making hostile incursions into the United States.

I beg that you will inform the Government of the United States that I shall continue to use every exertion to prevent the execution of such projects.

I have, &c.,

(Signed) MONCK.

(Copy.) *Lord Monck to Sir F. Bruce.*

His Excellency the Honorable
Sir F. Bruce, G. C. B.

QUEBEC, 22nd April, 1865.

SIR,—With reference to my despatch to Mr. Burnley of the 11th inst., and its enclosures relative to an alleged organization of persons in Western Canada intending to make hostile incursions into the United States, I have the honor to transmit, for your information, a copy of a Report from the County Crown Attorney of Kingston, who had been directed to make inquiries on the subject.

I have, &c.,

(Signed) MONCK.

(Copy.) No. 35. *Lord Monck to the Duke of Newcastle.*

QUEBEC, March 19th, 1864.

MY LORD DUKE,—I have the honor to transmit for Your Grace's information, copies of a despatch from Lord Lyons and enclosures which yesterday reached me.

Your Grace will observe that it is alleged by the United States authorities that there are at present two schooners lying in Canadian waters at Rondeau Harbor and New Creek, Long Point Marsh, both on Lake Erie, armed and equipped, and intended for piratical aggression on the lake trade of the United States.

The places mentioned are in the neighorhod of Windsor, a town which I have already informed Your Grace, was ascertained to be a place of resort for Confederate refugees.

The places indicated as those at which the schooners are at anchor, are, I am informed, remote and unfrequented localities, where ships of the description referred to might be expected to remain undiscovered.

Immediately on the receipt of Lord Lyons' despatch I sent a confidential agent of the Provincial Government to investigate the truth of the allegations contained in the Report of the Provost Marshal of the War Department of the United States, and should these allegations prove well founded, and legal evidence of the facts be obtained, it is my intention to take such steps as I may be advised are within my competence, for the seizure and detention of these vessels. Even should this information prove incorrect I am satisfied that great risk will be incurred during the approaching navigation season of having the neutrality of Her Majesty's Canadian Territories compromised by the proceedings of Confederate refugees, of whom there are at present large numbers residing in Canada.

This consideration has produced upon my mind the conviction which I think it my duty to lay before Her Majesty's Government: That there ought to be some British Royal naval force stationed on the lakes for the enforcement of the commercial police of those waters.

Your Grace is aware that by treaty stipulations between Great Britain and the United States, neither of the contracting powers is allowed to maintain on Lake Ontario, more than one armed vessel of not more than 100 tons burthen and armed with one 18 pound cannon.

On all the other Lakes, the force is limited to two vessels for each Lake, of the same tonnage, and similarly armed as that on Lake Ontario.

In consequence of this agreement, the Government of the United States is prohibited from maintaining on the Lakes, a naval force competent to protect her commerce against

piratical practices, and it appears to me that Great Britain, in whose interests this prohibition was imposed on the United States, is bound to take stringent precautions that her harbours shall not be used for the preparation of expeditions hostile to the trade of the United States, against which the stipulations of this treaty prevents that power from making adequate provisions of defence.

I would, therefore, suggest that five vessels should be sent out; one to cruise on Lake Ontario; two on Lake Erie, and two on Lake Huron during the approaching summer.

These vessels can be conveyed through the locks of the several Canadian canals to the places of their destination, as Your Grace will see from a return of the capacity of those locks which I sent to Your Grace more than two years since, and of which I now forward a copy.

I have, &c.,

(Signed) MONCK.

His Grace
The Duke of Newcastle, K. G.,
&c., &c., &c.,

(Copy.) *Duke of Newcastle to Viscount Monck.*

No. 128.

DOWNING STREET,
10th December, 1863.

MY LORD,—I have the honor to acknowledge the receipt of your despatch, No. 113 of the 19th of November, and to convey to you my approval of the measures taken by you to prevent the success of a plot of Confederate refugees resident in Canada for the invasion of the United States territory.

I have, &c.,

(Signed,) NEWCASTLE.

Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Cardwell to Viscount Monck.*

No. 94.

DOWNING STREET,
December 3rd, 1864.

MY LORD,—The attention of Her Majesty's Government has been directed to the violations of British neutrality of which certain persons have been guilty who profess to hold commissions from, or to act in aid of, the co-called Confederate States, and who make the soil of Canada the scene of their hostile preparations against the United States.

These violations of neutrality are a great offence against the British Crown—and Her Majesty's Government are of opinion that the Government of the United States have a clear right to expect that the Canadian law shall be found in practice generally sufficient, not merely for the punishment, but also for the suppression and prevention of these border raids.

The Secretary of State of the United States has reminded Earl Russell of the act which was passed by Congress in the year 1838, for the suppression and prevention of hostile attempts prepared in the territory of the United States,—and directed against the Government of Her Majesty in Canada. The circumstances of the two cases are not the same, and it does not appear to Her Majesty's Government to follow that precisely the same enactment, which the Congress passed in 1838, is necessarily suited to the present case.

They have observed with pleasure the promptitude and vigour with which you have put in force the existing law; but would wish you to consult your advisers, and obtain the opinion of your law officers, whether that law places in your hands sufficient available powers for the effectual suppression and prevention of these raids: or whether it is necessary for you to apply to your Legislature for increased powers.

In this latter case, any powers for which you should apply might very naturally be limited, as the powers of the act of Congress of 1838 were limited, to a definite term, with a view to meeting the immediate exigency only.

I have, &c.,

(Signed,) EDWARD CARDWELL.

Viscount Monck,
&c., &c., &c.

(Copy.)

Mr. Cardwell to Viscount Monck.

No. 1.

DOWNING STREET,
5th January, 1865.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's despatch, No. 189, of the 7th of December, enclosing copies of a correspondence respecting an alleged organization of Confederates in Canada for purposes hostile to the United States, and I have to convey to you my approval of the answer, dated the 6th of December, which you returned to Lord Lyons on the subject.

I have &c.,

(Signed,) EDWARD CARDWELL.

Viscount Monck,
&c., &c., &c.

(Copy.)

Mr. Cardwell to Lord Monck.

No. 44.

DOWNING STREET,
18th March, 1865.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's despatch, No. 49, of the 9th of February, enclosing a copy of an act passed by the Legislature of Canada for the prevention of outrages on the frontier.

The enactment of this law affords a most satisfactory proof that the Canadian Government and Legislature are determined during the present unhappy war, to perform with rigour and promptitude, the obligations which attach to a neutral state; and I shall have much pleasure in recommending to Her Majesty that it be left to its operation by Order in Council.

I have, &c.,

(Signed,) EDWARD CARDWELL.

Governor Viscount Monck,
&c., &c., &c.

(Copy.)

Mr. Cardwell to Lord Monck.

No. 78.

DOWNING STREET, 6th May, 1865.

MY LORD,—I have the honor to transmit to Your Lordship, a copy of a despatch addressed to Earl Russell by Her Majesty's *Chargé d'Affaires* at Washington, enclosing a copy of a Proclamation, offering a reward for the capture of any evil disposed persons who may have crossed the borders of the United States, or entered their ports from countries where they are tolerated, with a view of committing capital felonies against the property and lives of American citizens.

I have, &c.,

(Signed,) EDWARD CARDWELL.

Mr. Burnley to Earl Russell.

(Copy.)

WASHINGTON, April 7th, 1865.

MY LORD,—I have the honor to enclose copy of an Official Proclamation, offering a large reward for the capture of any evil disposed persons who may have crossed the borders of the United States or entered their ports from countries where they are tolerated, with a view of committing capital felonies against the property and life of American citizens. The Proclamation was issued almost immediately after the reception of the news from Canada that the St. Albans raiders were not to be surrendered, of which I informed Your Lordship in my despatch No. 215, of March 31st, and is intended to quiet people's minds and prevent any growing discontent upon the subject. I do not myself apprehend any further outburst of feeling, the raiders having been re arrested upon a breach of neutrality, and this, Mr. Seward informed me sometime ago, would be entirely satisfactory to the United States.

At the same time, the law in regard to this subject, is left by this last decision in an eminently unsatisfactory condition. A majority of the Judges of the Superior Courts in Upper Canada, including the two Chief Justices, has decided that acts such as that at St. Albans are not to be treated as acts of legitimate warfare, whereas now a Judge of the Superior Courts in Lower Canada decides the direct reverse.

I have, &c.,

(Signed,) J. HUME BURNLEY.

Official.

(Copy.)

DEPARTMENT OF STATE:

To all whom these presents may concern :—

Whereas, for some time past, evil-disposed persons have crossed the borders of the United States, or entered their ports by sea from countries where they are tolerated, and have committed capital felonies against the property and life of American citizens, as well in the cities as in the rural districts of the country.

Now therefore, in the name, and by the authority of the President of the United States, I do hereby make known that a reward of one thousand dollars will be paid at this Department for the capture of each of such offenders, upon his conviction by a civil or military tribunal, to whomsoever shall arrest and deliver such offenders into the custody of the civil or military authorities of the United States, whose offences shall be committed subsequently to the publication of this notice.

A reward of five hundred dollars will be paid, upon conviction, for the arrest of any person who shall have aided and abetted offenders of the class above named within the territory of the United States.

Given under my hand and the Seal of the Department of State, at Washington, this fourth day of April, A. D. 1865.

(Signed) WILLIAM H. SEWARD,
Secretary of State.

(Copy.)

Lord Monck to the Duke of Newcastle.

No. 35.

QUEBEC, March 19th, 1864.

MY LORD DUKE,—I have the honor to transmit for Your Grace's information, copies of a despatch from Lord Lyons, and enclosures, which yesterday reached me.

Your Grace will observe that it is alleged by the United States authorities that there are at present two schooners lying in Canadian waters at Rondeau Harbor and New Creek, Long Point Marsh, both on Lake Erie, armed and equipped and intended for piratical aggression on the Lake trade of the United States.

The places mentioned are in the neighborhood of Windsor, a town which I have already informed Your Grace was ascertained to be a place of resort for Confederate refugees.

The places indicated as those at which the schooners are at anchor, are, I am informed, remote and unfrequented localities, where ships of the description referred to might be expected to remain undiscovered.

Immediately on receipt of Lord Lyons' despatch, I sent a confidential agent of the Provincial Government to investigate the truth of the allegations contained in the report of the Provost Marshal of War Department of the United States, and should these allegalegations prove well founded, and legal evidence of the fact be obtained, it is my intention to take such steps as I may be advised are within my competence, for the seizure and detention of these vessels.

Even should this information prove incorrect, I am satisfied that great risk will be incurred during the approaching navigation season of having the neutrality of Her Maj sty's Canadian territories compromised by the proceedings of Confederate Refugees, of whom there are at present large numbers residing in Canada. This consideration has produced upon my mind the conviction which I think it my duty to lay before Her Majesty's Government, that there ought to be some British Royal Naval Force stationed on the Lakes for enforcement of the commercial police of those waters.

Your Grace is aware that by treaty stipulations between Great Britain and the United States, neither of the contracting powers is allowed to maintain on Lake Ontario more than one armed vessel of not more than one hundred tons burthen, and armed with one eighteen pounder cannon.

On all the other Lakes, the force is limited to two vessels for each Lake of the same tonnage, and similarly armed as that on Lake Ontario.

In consequence of this agreement, the Government of the United States is prohibited from maintaining on the Lakes, a naval force competent to protect her commerce against piratical practices, and it appears to me that Great Britain in whose interests this prohibition was imposed on the United States, is bound to take stringent precautions that her harbours shall not be used for the preparation of expeditions hostile to the trade of the United States, against which the stipulations of this treaty prevent that power from making adequate provision of defence.

I would therefore suggest that five vessels should be sent out, one to cruise on Lake Ontario, two on Lake Erie, and two on Lake Huron during the approaching summer.

These vessels can be conveyed through the locks of the several Canadian canals to the places of their destination, as your Grace will see from a return of the capacity of those locks which I sent to your Grace more than two years since, and of which I now forward a copy.

I have, &c.,

(Signed) MONCK.

His Grace,
The Duke of Newcastle,
&c., &c., &c.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 182. QUEBEC, November 25th, 1864.

SIR,—I have the honor to transmit for your information copies of the different documents noted in the margin, also of an approved minute of the Executive Council and of an extra edition of the Royal *Gazette*, containing a Proclamation forbidding the exportation from this Province of warlike stores, or munitions of war.

Mr. Coursol to Atty. Gen., Montreal 16th Nov., 1864,
U. S. Consul Toronto, 14th Nov.,
Atty. Gen. to Mr. Coursol, 18th Nov.
Telegram—Atty. Gen. to Mr. Kingsmill; Quebec, 17th Nov., 1864.
Atty. Gen. to Mr. Kingsmill, 17th Nov., 1864.
Telegram—Mr. Kingsmill to Atty. Gen., Guelph, 19th Nov.
Mr. Kingsmill to Atty. Gen., 19th Nov.
Reference of Atty. Gen. to Executive Council, 22nd Nov., 1864.
From Collector, Toronto, 24th Nov., 1864.
Telegram—Mr. Bouchette to Collector at Toronto, Quebec, 22nd, Nov., 1864.
Telegram—From Collector at Toronto, 22nd Nov., 1864.
Mr. Bouchette, Circular, 23rd Nov.
Proclamation, 22nd Nov.
Telegram—Atty. Gen. to Mr. Kingsmill, 23d Nov.
Mr. Kingsmill to Atty. Gen, 24th Nov.
Atty. Gen. to Mr. Kingsmill, 24th November.
Atty. Gen. to Mr. Bouchette, 24th Nov.
Executive Council, 23rd Nov., 1864.
From Sarnia, 25th Nov., 1864.

I think the documents of which I enclose copies fully prove that warlike stores have been manufactured at Guelph, C. W., under circumstances which leave little moral doubt that they were intended for the purpose of arming some vessel on the Lakes in the interest of the so-called Confederate States of America.

This proceeding, if carried into practice, would have been in effect to make Canada a base of warlike operations against the United States of America, and would have compromised the neutrality which Her Majesty's Government has always maintained between the contending parties on the American Continent.

It is obvious that there are two modes in which, as regards the purchase and sale of warlike stores, a third power may maintain its neutrality between two belligerents: One is by throwing open its markets freely to both parties; the other, by forbidding the sale of warlike stores to either.

The former is the course which Her Majesty's Government has pursued with respect to the sale of warlike stores to the American belligerents within the United Kingdom, but I trust that the difference in the circumstances of the two countries with reference to the contending parties, and the impossibility of guarding against an abuse by one of the belligerents of the right to purchase warlike stores in Canada, will justify, in your opinion, the adoption of the latter mode in my case, and that the course which I have taken will receive your approbation.

I am, &c.,

(Signed) MONCK.

The Rt. Hon. E. Cardwell,
&c., &c., &c.

QUEBEC, Tuesday, November 22nd, 1864.

Province of Canada. } MONCK.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

To all whom these presents shall come, and whom the same may concern—Greeting:

JOHN A. MACDONALD, Atty.-Gen. } WHEREAS it is, in and by an Act of the Parliament of Our said Province of Canada, made and passed in the Twenty-seventh year of Our Reign, intituled: "An Act to amend the Act respecting Duties of Customs and the Collection thereof," amongst other things in effect enacted, that Our Governor in Council may, by proclamation or Order in Council, at any time, and from time to time, prohibit the exportation or the carrying coastwise, or by Inland Navigation, of the following goods:—Arms, Ammunition, Gunpowder, Military and Naval Stores, and any articles which Our Governor in Council shall judge capable of being converted into or made useful in increasing the quantity of Military or Naval Stores. And Whereas Our Governor in Council has deemed it expedient that the exportation and also the carrying coastwise, or by Inland Navigation, of Arms, Ammunition and Gunpowder, and Military and Naval Stores, and any Articles manufactured for the purpose of forming part of any kind or description of Arms, or for the purpose of mounting the same, from Our Province of Canada, be prohibited. Now Therefore Know Ye that we do by and with the advice of Our Executive Council, and by this Our Royal Proclamation, prohibit the ex-

r. Coursol to Atty. Gen., Montreal 16th Nov., 1864,
S. Consul Toronto, 14th Nov.,
ty. Gen. to Mr. Coursol, 18th Nov.
legram—Atty. Gen. to Mr. Kingsmill: Quebec, 17th Nov., 1864.
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legram—Mr. Kingsmill to Atty. Gen., Guelph, 19th Nov.
. Kingsmill to Atty. Gen., 19th Nov.
ference of Atty. Gen. to Executive Council, 22nd Nov., 1864.
m Collector, Toronto, 24th Nov., 1864.
Telegram—Mr. Bouchette to Collector at Toronto, Quebec, 22nd, Nov., 1864.
Telegram—From Collector at Toronto, 22nd Nov., 1864.
Mr. Bouchette, Circular, 23rd Nov.
Proclamation, 22nd Nov.
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The former is the course which Her Majesty's Government has pursued with respect he sale of warlike stores to the American belligerents within the United Kingdom, but ust that the difference in the circumstances of the two countries with reference to the ending parties, and the impossibility of guarding against an abuse by one of the bel- rents of the right to purchase warlike stores in Canada, will justify, in your opinion, adoption of the latter mode in my case, and that the course which I have taken will ive your approbation.

I am, &c.,

(Signed) MONCK.

Rt. Hon. E. Cardwell,
&c., &c., &c.

QUEBEC, Tuesday, November 22nd, 1864.

ovince of Canada. } MONCK.

ORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

whom these presents shall come, and whom the same may concern—Greeting:

HN A. MACDONALD, Atty.-Gen. } WHEREAS it is, in and by an Act of the Parliament of Our said Province of Canada, made and passed in the ty-seventh year of Our Reign, intituled: "An Act to amend the Act respecting s of Customs and the Collection thereof," amongst other things in effect enacted, that Governor in Council may, by proclamation or Order in Council, at any time, and ime to time, prohibit the exportation or the carrying coastwise, or by Inland Navi- , of the following goods:—Arms, Ammunition, Gunpowder, Military and Naval , and any articles which Our Governor in Council shall judge capable of being con- into or made useful in increasing the quantity of Military or Naval stores. And eas Our Governor in Council has deemed it expedient that the exportation and also rying coastwise, or by Inland Navigation, of Arms, Ammunition and Gunpowder, and ry and Naval Stores, and any Articles manufactured for the purpose of forming part kind or description of Arms, or for the purpose of mounting the same, from Our ce of Canada, be prohibited. Now Therefore Know Ye that we do by and with the of Our Executive Council, and by this Our Royal Proclamation, prohibit the ex-

portation from Our Province of Canada, or the carrying coastwise, or by Inland Navigation in any manner or way whatsoever, of Arms, Ammunition or Gunpowder or Military or Naval Stores, or any Articles manufactured for the purpose of forming part of any kind or description of Arms, or for the purpose of mounting the same. Of all which Our loving subjects are to take notice and govern themselves accordingly.

In Testimony Whereof We have caused these Our Letters to be made Patent, and the Great Seal of Our said Province of Canada to be hereunto affixed: Witness, Our Right Trusty and Well-Beloved Cousin the Right Honorable Charles Stanley Viscount Monck, Baron Monck of Ballytrammon, in the County of Wexford, Governor General of British North America, and Captain General and Governor in Chief in and over our Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c., &c., &c. At Our Government House, in Our City of Quebec, in Our said Province of Canada, this Twenty-second day of November, in the year of Our Lord, one thousand eight hundred and sixty-four, and in the Twenty-eighth year of Our Reign.

By Command,

WILLIAM MCDOUGALL, Secretary.

(Copy.) No. 199. *Lord Monck to Mr. Cardwell.*

QUEBEC, December 17th, 1864.

SIR,—I have the honor to transmit for your information, copies of two approved minutes of the Executive Council of Canada, showing the steps which have been adopted in order to prevent the formation in this Province, of plans hostile to the Government of the United States, or calculated to compromise the neutrality of Her Majesty's Territories,

I may add that a Stipendiary Magistrate and a considerable Preventive Police Force have been for some time on duty in that part of the country which forms the frontier, between the United States and Lower Canada.

I have, &c.,

(Signed) MONCK.

The Right Honble.
E. Cardwell.

16TH DECEMBER, 1864.

On a memorandum, dated 16th December, inst., from the Honorable the Attorney General for Upper Canada, reporting that the late piratical destruction of two American steamers on Lake Erie, by parties, some of whom were alleged to have come from Canada, and the fears that are entertained by the inhabitants on both sides of the boundary line between Canada and the United States of America, that illegal combinations are now being organized for the purpose of invasion or depredation, require that additional steps should be taken for the enforcement of the law and the preservation of the public peace.

That such additional steps are required also for the purpose of putting an end to the nefarious practice of kidnapping or carrying away by violence Her Majesty's subjects from Canada with the view to force them to enlist in the American armies, as well as for the purpose of arresting such parties as are engaged in enticing soldiers of Her Majesty's regular service to desert.

That with this view, he, the Attorney General, recommends that a stipendiary magistrate be appointed, holding a commission for the Counties of Simcoe, Halton, Wentworth, Lincoln, Welland, Haldimand, Norfolk, Brant, Wellington, Grey, Waterloo, Oxford, Elgin, Middlesex, Perth, Kent, Essex and Lambton, and for the United Counties of York and Peel and of Huron and Bruce, and that he be employed in his magisterial capacity along the line of frontier in those localities, and generally to attend to such matters connected with those duties as may from time to time be prescribed by the Government, or the Law Officers of the Crown.

He further recommends that such stipendiary magistrate be paid at the rate dollars ($6) per day, and his travelling expenses, and that the same be charged t Administration of Criminal Justice.

He further recommends that the stipendiary magistrate be authorized, unde structions from him, the Attorney General, and subject to the approval of Your Excel to form an efficient Police force, preventive and detective, to act under his instru and at such a rate of pay as may be hereafter approved of by Your Excellency in Co

The Committee advise that the above recommendations of the Honorable the Att General, be approved and acted on.

16TH DECEMBER, 1864

The Committee have had under consideration a memorandum, dated 16th Dece inst., from the Honorable the Attorney General, (U. C.,) acting on the behalf of the orable the Minister of Militia, in his absence, stating that he feels it his duty to call Excellency's attention to the necessity which exists for the immediate organization Militia force, to be stationed on the frontier in aid of the civil power.

That the late piratical destruction of two American steamers on Lake Erie, by pa some of whom were alleged to have gone from Canada—the marauding incursion int Albans, in the State of Vermont, plundering and robbing its peaceable inhabitants, an ascertained fact that arms and munitions of war have been prepared at Guelph, evid for the purpose of being used in similar aggressions against the United States—all that prompt and vigorous measures are called for. Fears, he states, are entertained b inhabitants on both sides of the boundary line, that illegal combinations are now bein ganized for a continuation of such aggressions, and the peace, prosperity and sen security along the border have thereby been much disturbed, and ill-feeling engend between the people of the two countries.

That he has too much reason to believe that those fears are well grounded, and a continuation of such outrages may be expected.

That the combination of bodies of men in Canada, ready with arms to cross the fro line of Canada, will, if carried into effect, amount to insurrection.

That he, therefore, in the belief that there is immediate danger of such insurrec submits for the consideration of Your Excellency, that it will be necessary, with a vie the preservation of peace on the border, and to the prevention of such combinations the suppression of any such insurrectionary movements, when attempted, to call out actual service a part of the Canadian Volunteer Militia Force.

He further recommends that the number of men to be called out shall not be less fifteen hundred—say 30 companies—and that such companies may be organized in manner as Your Excellency may think fit, to be marched to any part of the Prov where their services may be required.

He further states that the force so called out, will thenceforth be subject to Queen's regulations, the rules and articles of war, and the mutiny act, and all other then applicable to Her Majesty's troops in this Province, not inconsistent with the Ac specting the Volunteer Militia Force.

Under such regulations or Imperial laws, certain arrangements are made as to pay the lodgings and rations of troops, in respect to which he, the Attorney General, has honor to suggest that the following be substituted:—

1. That the daily pay of each officer shall be according to the rate allowed to his r in Her Majesty's service, but that an officer holding Brevet rank shall only receive pay of his Regimental rank, and that any Field officer shall only receive the pay of rank when acting in that capacity.

2. That the daily pay of each non-commissioned officer and man shall be as follows

Pay Sergeant	80 cents.
Sergeant	70 "
Corporal	60 "
Private	50 "

11

That such pay shall be in full and inclusive of any daily pay to which officers and men might otherwise be entitled under the Queen's regulations or any Imperial statutes.

3. That in lieu of rations and any allowances for lodging, forage, fuel, light or other expenses or allowances to which officers or men might otherwise be entitled under the Queen's regulations or Imperial statutes, the following sums be paid as a daily allowance for each officer and man, as follows:

Lt.-Colonel, (when acting as a Field Officer)	$1.00
Captain	76
Lieutenant	72
Ensign	69
Colour Sergeant	55
Sergeant	55
Corporal	50
Privates	50

4. That the aggregate amount payable to each Company, under the above scales of pay and allowances shall be made monthly in advance to each Captain commanding a company, under such regulations as to the payment of officers and men, and the providing of board and lodging for the men, not exceeding the allowances specified therefor and the necessary acquittance rolls for such payments respectively, as may be prescribed by Your Excellency.

5. That such necessary regulations for transport of the force shall be carried into effect as shall be prescribed by Your Excellency.

The Committee concur in the report of the Attorney General, except as to the allowances, and they recommend that sums not exceeding those suggested by him may be expended for such allowances, but if practicable and consistent with efficiency, they should be arranged at a lower scale.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 204. QUEBEC, December 24th, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch, No. 94, of the 3rd instant, respecting the necessity for further statutory powers to enable me to meet the case of persons who make the soil of Canada the scene of their hostile preparations against the territory of the United States.

I have already in my despatch, marked "confidential," of the 15th instant, brought before you my opinion which is shared by my law officers on this question, and stated the nature of the powers with which I think it advisable I should be armed under existing circumstances.

My object in writing on this subject was to obtain authority from you to propose legislation of this sort immediately on the meeting of Parliament.

I consider that your despatch gives me the required sanction, and it is the intention of my Government, as soon as Parliament shall have met, to propose to it the enactment of laws for the summary removal of suspected foreigners, and for the summary detention of suspected ships.

I have a strong conviction that the existence of these legal powers, combined with some additional means of enforcing the laws of neutrality on the Western Lakes, will render the exercise of them unnecessary except in very rare instances.

I have, &c,

(Signed,) MONCK.

The Right Honorable E. Cardwell.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 205. DECEMBER 24TH, 1864.

SIR,—I have the honor to transmit for your information, a page of the *Royal Gazette*, containing a Militia General Order which I have thought it right to issue, in calling out for service on the frontier a portion of the Volunteer Militia of this Province.

I have, &c.,

(Signed) MONCK.

The Right Honorable E. Cardwell.

HEAD QUARTERS,

Quebec, 23rd December, 1864.

VOLUNTEER MILITIA.

General Order.

1. Referring to the General Order of December 19th, His Excellency the Commander in Chief is pleased to call out for actual service the following Companies of the Volunteer Force.

2. These Companies will be formed into three administrative Battalions, which shall be composed respectively of the following Companies, and such others as may be added to each Battalion by any further General Order.

Western Battalion.

No. 1 Company, from 3rd Battalion Volunteer Militia Rifles, Montreal, Capt. J. Bacon.
No. 2. " York Rifles, Captain Davis.
No. 3. " Brockville Rifles, Major Crawford.
No. 4. " from 8th Battalion Volunteer Militia Rifles, Quebec, Captain Alleyn.
No. 5. " Brantford Rifles, Captain Grant.
No. 6. " Belleville Rifles, Major Levesconte.

Centre Battalion.

No. 1. Company, from 2nd Battalion, Volunteer Militia Rifles, Toronto, Lieutenant John Brown.
No. 2. " from do., Captain Charles F. Gilmor.
No. 3. " from 14th Battalion Volunteer Militia Rifles, Kingston, Major Kelly.
No. 4. " Collingwood Rifles, Lieutenant Colonel Stephen.

Eastern Battalion.

No. 1 Company, Woodstock Rifles, Major Richardson.
No. 2. " Beachville Rifles, Captain Greig.
No. 3. " from 8th Battalion Volunteer Militia Rifles, Quebec, Lieutenant A. Jackson,
No. 4. " from 9th Battalion Volunteer Militia Rifles, Quebec, Captain Gingras.
No. 5. " 1st Cornwall Rifles, Captain Bergen.

First (or Western) Administrative Battalion.—To be Lieutenant-Colonel: Lieutenant-Colonel Osborne Smith, Commanding Victoria Rifles, Montreal.
To be Major: Major Augustus Heward, Major, Victoria Rifles, Montreal.
To be Adjutant: Lieutenant William H. Hutton, of Victoria Rifles, Montreal.

Second (or Centre) Administrative Battalion.—To be Lieutenant-Colonel: Lieutenant-Colonel William Smith Durie, Commanding 2nd Battalion or "Queen's Own" Rifles, Toronto.

Third (or Eastern) Administrative Battalion.—To be Lieutenant Colonel: Lieutenant Colonel John B. Taylor, Commanding Battalion Oxford Rifles.
To be Captain: Lieutenant A. Jackson, Adjutant 8th Battalion, Volunteer Militia Rifles, Quebec.

6. In calling out for actual service this portion of the VolunteerForce, the Commander in Chief desires to express the gratification he has experienced at the numerous offers of service he has received from Volunteer Companies all through the Province, as soon as it became known that men were required for permanent duty.

7. The Commander in Chief desires to impress upon the officers, non-commissioned officers and men of the force called out for duty, that they are embodied, not for the purpose of warfare, but with the object of aiding the Civil power in its efforts to prevent aggression on the territories of a friendly State, on the part of persons enjoying the right of asylum in Her Majesty's Dominions, and to maintain, as regards Canada, that complete neutrality with respect to the war now existing in the United States, which Her Majesty has enjoined on all her subjects.

8. With these objects in view, it will be the duty of all Officers commanding Detachments on the frontier to take special care that the territorial rights of the Government of the United States shall be carefully respected, and that no infringement by the men under their command shall under any circumstances take place of such regulations for the security of their borders as may be made from time to time by that Government.

9. It will be duty of Officers, should suspicious circumstances be brought under their observation, immediately to report any such to the Civil authorities and to place themselves under their guidance.

By Command of His Excellency the Right
Honorable the Governor General and
Commander in Chief.

A. DE SALABERRY, Lt.-Colonel,
Deputy Adjt. Gen. of Militia Lower Canada.
WALKER POWELL, Lt. Colonel,
Deputy Adjt. Genl. of Militia, Upper Canada.

(Copy.)

Lord Monck to Mr. Cardwell.

No. 213.

QUEBEC, December 29th, 1864.

SIR,—Referring to my despatches noted in the margin, I have the honor to report, that in pursuance of the General Orders of the 19th of December, the thirty Companies of Volunteers called out for duty have been embodied in three administrative Battalions of ten Companies each, the Head Quarters of which are stationed respectively at Windsor, Niagara and LaPrairie. The Companies are all sixty-five strong, exclusive of officers.

No. 199, Dec. 17.
" 202, " 20.
" 205, " 24.

You will perceive by the copies of the several General Orders, that the Companies have been so selected as to give all parts of the Province an opportunity of contributing to the force embodied.

I have also so arranged that the Volunteers from Eastern Canada should as much as possible be stationed in Canada West and *vice versâ*.

These modes of proceeding caused some slight delay in getting the force to its destination, but I think it is not a little creditable to the Volunteers and to those who conducted the arrangements, that the first intimation the force received that their services would be required was by the General Order of December 19th, and that the three Battalions are now at their respective stations, some of the Companies of which they are composed having had to travel a distance of nearly seven hundred miles in order to reach their destinations.

If it had not been that I wished to allow the men to spend Christmas day with their families the operation would have been performed in even a shorter time.

I have not heard of a single case of mis-conduct amongst the men in the course of their journey, and I am informed that every thing was conducted with as much order and regularity as could have been expected had the battalions been composed of regular troops. I have had offers of services from numerous corps all over the Province, and I should have no difficulty, were it desirable, in raising a large force.

General Order, 30th Dec., 1860.
Gazette, 30th Dec., 1864 Page 4270.

I have the honor to transmit a copy of the *Gazette*, containing a general order completing the embodiment of the force and also one placing it under the Military Command of the Lieutenant General Commanding in British North America.

I have, &c.,

(Signed,) MONCK.

Lord Monck to Mr. Cardwell.

(No. 49.)

FEBRUARY 9th, 1865.

SIR,—I have the honor to transmit for your information, a copy of an Act for the prevention of outrages on the Frontier, which has been passed by both Houses of the Legislature, and to which I, on Monday last, in Her Majesty's name, signified the Royal assent.

I have, &c.,

(Signed,) MONCK.

The Right Hon. E. Cardwell.

AN ACT for the prevention and repression of outrages in violation of the Peace on the frontier of this Province, and for other purposes.

[*Assented to 6th February*, 1865.]

Preamble.

WHEREAS it is expedient to provide for the due security of the Peace and tranquility of this Province by temporary enactment: Therefore-Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Power to Governor to order aliens to depart this Province.

1. When and so often as the Governor of this Province shall have reason to believe from information given to him or to the Secretary of the Province, in writing, by any person subscribing his or her name and address thereto, that for the preservation of the peace and tranquility of this Province, it is expedient to remove therefrom any alien or aliens who may be in this Province, or who may hereafter arrive therein, it shall be lawful for the Governor by order under his hand to be published in the *Canada Gazette*, to direct that any such alien or aliens, who may be within this Province, or who may hereafter arrive therein, shall depart this Province, within a time limited in such order; and, if any such alien shall knowingly and wilfully refuse or neglect to pay due obedience to such order, or shall be found in this Province, contrary to such order, after such publication thereof as aforesaid, and after the expiration of the time limited in such order, it shall be lawful for the Governor, or for any Justice of the Peace, to cause every such alien to be arrested and to be committed to the common gaol of the county district or place where he or she shall be so arrested, there to remain, without bail or mainprize, until he or she shall be taken in charge for the purpose of being sent out of the province, under the authority hereinafter given.

If aliens wilfully refuse to obey such order, they may be committed to gaol, until taken in charge for the purpose of being sent out of the Province.

Penalty on aliens disobeying such order.

2. Every such alien so knowingly and wilfully, refusing or neglecting to pay due obedience to any such order as aforesaid, shall be guilty of a misdemeanor, and being convicted thereof, shall, at the discretion of the court, be adjudged to suffer imprisonment for any time not exceeding one month for the first offence, and not exceeding twelve months for the second and any subsequent offence.

Aliens on neglecting to obey order

3. It shall be lawful for the Governor in any case in which any alien shall be found in this Province after the expiration of the time limited in such order, and whether he or she shall or shall not have been arrested or

may be given in charge by warrant of Governor to be conveyed out of the Province.

committed for refusal or neglect to obey such order, or convicted of such refusal or neglect, and either before or after such alien shall have suffered the punishment inflicted for the same, by warrant under his hand and seal, to give such alien in charge to any person or persons to whom he shall think proper to direct such warrant in order to such alien being conveyed out of the Province, and such alien shall be so conveyed accordingly;

If in the Winter season.

Provided always that in case such alien shall be taken in charge as aforesaid, after the close of the navigation of the River St. Lawrence in the winter and before its opening in the spring, then and in any such case the said alien may, should the Governor see fit, be detained in safe custody until one month after the opening of such navigation; And provided further, that

Where any alien shall allege any excuse for not complying with order, Governor in Council to judge of sufficiency of the same,

where such alien (not having been convicted as aforesaid) shall allege any excuse for not complying with such order, or any reason why the same should not be enforced, or why further time should be allowed him or her for complying therewith, it shall be lawful for the Governor in Council, to judge of the sufficiency of such excuse or reason, and to allow or disallow the same either absolutely or on such condition as he shall think fit; and where such alien shall be in custody under such warrant of the Governor, the person in whose custody he or she shall be, forthwith upon its being signified to him that such excuse or reason is alleged by such alien, shall make known the same to the Governor, who, upon receiving such notification, or in any case in which he shall be informed that any such excuse or reason is alleged by or on behalf of any alien to quit the Province, shall forthwith suspend the execution of such Warrant until the matter can be enquired into and determined by the Governor in Council; and such alien, if in custody under any such Warrant, shall remain in such custody, or if not in custody may be given in charge by any such Warrant as aforesaid, and shall remain in custody until the determination thereon shall be made known, unless in the meantime the Governor shall consent to, or the Governor in Council shall make order for the release of such alien either with or without security;

Governor shall cause a summary of matters alleged against alien to be delivered to him, &c.,

Provided always, that the Governor shall cause to be delivered to such alien, in writing, a general summary of the matters alleged against him or her, and shall allow him or her reasonable time to prepare his or her defence; and it shall be lawful for him or her to summon and examine upon oath witnesses before the said Governor in Council, and to be heard before them by himself or herself, or his or her Counsel, in support of the excuse or reason by him or her alleged.

Judges may admit aliens to bail in all cases if they see sufficient cause.

4. In every case in which power is given by this Act, to commit any alien to Gaol without Bail or Mainprize, it shall be lawful for any Justice of any of Her Majesty's Superior Courts in this Province, if upon application made he shall see sufficient cause, to admit such person to bail, he or she giving sufficient security for his or her appearance to answer the matters alleged against him or her.

Where alien shall not have been sent out of the Province within certain period after commitment, Judges, &c., empowered, where application has been made, to continue in or discharge such alien out of custody.

5. Where any alien who shall have been committed under this Act to remain until he or she shall be taken in charge for the purpose of being sent out of the Province, shall not be sent out of the Province within one month after such commitment, or when taken in charge after the closing of the navigation of the river Saint Lawrence as aforesaid then within one month after the opening of such navigation, it shall in every such case be lawful for any of the Justices of any of Her Majesty's Superior Courts in this Province or for any Police Magistrate or any Recorder of a City, or for any two of Her Majesty's Justices of the Peace in any part of the Province, or for any Judge of the Sessions of the Peace in Lower Canada, upon application made to him or them by or on behalf of the person so committed, and upon proof made to him or them that reasonable notice of the intention to make such application had been given to the Governor, according to his or their discretion, to order the person so committed to be continued in or discharged out of custody.

6. Nothing in the preceding clauses of this Act shall affect any alien un-

der the age of fourteen years, or who shall have been residing within this Province for five years next before the passing of this Act.

Punishment for setting on foot or aiding or assisting an expedition against a Friendly Power.

7. If any person shall within this Province begin or set on foot, or provide or prepare the means for, or shall within this Province engage, aid or assist, or procure another person or other persons to engage, aid or assist in the beginning or setting on foot or in the providing or preparing the means for, any military expedition, raid or enterprise, to be carried on from thence against the territory or dominions of any Foreign State, or against the lives, liberties or properties of any one or more of the inhabitants of any territory or dominions of any Foreign State, with whom Her Majesty is at peace, every person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding three thousand dollars, and imprisoned for a term not exceeding three years.

Vessels armed for hostilities against a Friendly Power or arms, &c., may be seized.

8. It shall be lawful for any Justice of the Peace upon request in writing of the Attorney General or Solicitor General of Upper Canada, or of any County Attorney in Upper Canada, or of the Attorney General or Solicitor General of Lower Canada, in Lower Canada, (or for any Recorder of a City or Police Magistrate in this Province, or for any Judge of the Sessions of the Peace in Lower Canada, without such request,) to cause to be seized and detained any vessel manifestly built or arranged or fitted out for warlike purposes and about to depart this Province, of which the cargo shall principally consist of arms or munitions of war, when the number of men shipped on board or other circumstances, shall render it probable that such vessel is intended to be employed to cruise or commit hostilities upon the subjects, citizens or property of any Foreign State with which Her Majesty is at peace, and also cause to be seized any vessel or any arms or munitions of war, which may be provided or prepared for any military expedition, raid or enterprise against the territory or dominions of any Foreign State with which Her Majesty is at peace, and to retain possession of the same until the decision of the Governor be had thereon, or until the same shall be released as hereinafter directed.

Sheriffs, &c., required to seize any vessel, &c., and arms, &c., about to pass the frontier of Canada for any place within a Foreign State, where there is probable cause to believe that said vessel, &c., and arms, &c. are intended to be employed in carrying on a military expedition against any Foreign State, at Peace with Her Majesty, and detain such vessel, &c.,

9. Any Sheriff, Collector of Customs, County Attorney, Police Magistrate, or Recorder of a City in this Province, any Judge of the Sessions of the Peace in Lower Canada, or any Field Officer or Captain of Her Majesty's Service, or any Field Officer or Captain of the Volunteer Militia Force, or of the Service Militia (such Field Officer or Captain of the Volunteer Militia Force or of the Service Militia being at the time on Actual Service,) or any other person specially empowered for the purpose by the Governor, shall be and he is hereby authorized and required to seize or cause to be seized any vessel or vehicle, and all arms or munitions of war about to pass the frontier of this Province for any place within any Foreign State, where the character of the vessel or vehicle and the quantity of arms and munitions of war or other circumstances shall furnish probable cause to believe that the said vessel or vehicle, arms or munitions of war, are intended to be employed by the owner or owners thereof, or any other person or persons, in carrying on any military expedition, raid, enterprise or operations, within the territory or dominions of any Foreign State with whom Her Majesty is at peace, and detain the same until the decision of the Governor be had for the restoration of the same, or until such property shall be discharged by the judgment of a Court of competent jurisdiction; provided that in case such seizure shall be made by a Police Magistrate, Recorder of a City or Judge of the Sessions of the Peace, he shall, with due diligence, issue his warrant to justify the detention of the property so seized, on an oath or affirmation in the manner required by the next section of this Act.

Proviso. Officer making such seizures shall apply to Super-

10. It shall be the duty of any Officer, other than a Police Magistrate, Recorder of a City in this Province, or Judge of the Sessions of the Peace in Lower Canada, making any seizure under the ninth section of this Act, to make application with due diligence to any one of the Justices of any of the Superior Courts of this Province, or to any Police Magistrate or to the

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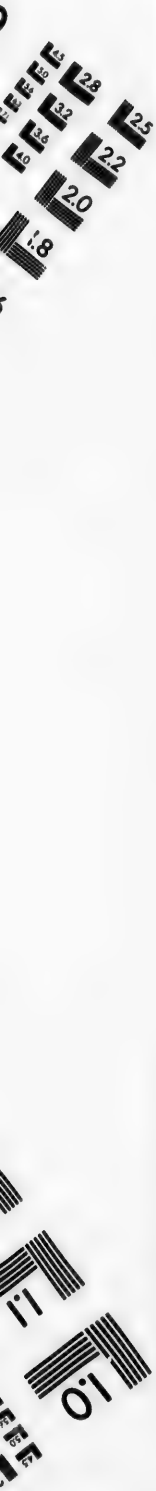
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for or County Judges, &c., for a warrant to be granted on oath, &c., to justify the detention of the property seized.

Judge of the County Court of the County in which such seizure may be made, or to the Recorder of any City, in which the seizure may be made, or to any Judge of the Sessions of the Peace in Lower Canada, for a warrant to justify the detention of the property so seized, which warrant shall be granted only on oath or affirmation shewing that there is probable cause for believing that the property so seized is intended to be used in a manner contrary to the provisions of this Act, and if no such warrant shall be issued within ten days after any such seizure, the said property shall be restored to the owner, but if such warrant shall be issued, then the property seized shall be detained by the officer until the Governor shall order it to be restored, or until discharged by due course of law.

Owner of property seized may file his petition to Superior or County Courts, &c., where seizure made; and power given to Courts to try case, &c.

11. The owner or claimant of any property seized under the eighth and ninth sections of this Act in Upper Canada, may file his petition, setting forth the facts of the case, in any of the Superior Courts in Upper Canada, or in the County Court of the County in which such seizure was made; and the owner or claimant of any property seized under the said sections in Lower Canada may file his petition in the Superior Court or Circuit Court of Lower Canada, setting forth the facts of the case, and thereupon such Court shall proceed with all convenient despatch, after causing due notice to be given to the officer making such seizure, to decide upon the said case, and order restoration of the property, unless it shall appear that the seizure was authorized by this Act; and the Superior, Circuit and County Courts shall have jurisdiction, and are hereby vested with full power and authority to try and determine all cases which may arise under the said sections of this Act; and in Upper Canada all issues of fact, arising under it shall be decided by a Jury, in the manner now provided by law.

Whenever the officer, shall have obtained a warrant for the detention of property seized, or the claimant shall not have obtained its restoration by petition, claimant may file a bond, &c. Proviso.

12. Whenever the officer making any seizure under the ninth clause of this Act shall have applied for and obtained a warrant for the detention of the property, or the claimant shall have filed a petition for its restoration and failed to obtain it, it shall and may be lawful for the claimant or owner to file with the officer a bond to the amount of double the value of the property so seized and detained, with at least two sureties, to be approved by the judge granting the warrant or refusing restoration, with a condition that the property when restored shall not be used or employed by the owner or owners thereof, or by any other person or persons with his or their privity, in carrying on any such military expedition, raid, enterprise or operations as aforesaid, and thereupon the said officer, so detaining the said property, shall restore the same to the owner or claimant thus giving bond; Provided that such restoration shall not prevent seizure from being again made, in case there may exist fresh cause to apprehend a new violation of any of the provisions of this Act.

Venue may be laid in any County or District.

13. It shall not be necessary to lay the venue in any prosecution under this Act in the County or District where the offence was committed, but the information may be laid and the offence may be tried in any County or District in this Province.

Justices, &c., may issue warrants for searching for and seizing arms or munition of war about to be employed in any military operation, &c.

14. It shall be lawful for any Justice of the Peace upon request in writing of the Attorney General or Solicitor General of Upper Canada, or of any County Attorney in Upper Canada, or of the Attorney General or Solicitor General of Lower Canada, or for any Judge of the Sessions of the Peace in Lower Canada, or for any Recorder of a City or Police Magistrate in this Province, without such request and upon information upon oath of one or more credible witness or witnesses, that he or they believe that any arms or munitions of war are, for the purpose of being employed in any military expedition, raid, enterprise or hostile operations beyond the frontier of this Province, or for any purpose dangerous to the public peace within this Province, in the possession of any person or persons, or in any house or place, or that any person or persons is or are concerned or engaged in the manufacture of any arms or munitions of war, to issue his warrant to any Constable or other Peace Officer to search for and seize such arms or munitions of war, in the

possession of any such person or in any such house or place; and it shall be lawful for any such Constable or other Peace Officer, acting under any such warrant or any other person or persons in his or their aid or assistance, to search for and seize any such arms, or munitions of war being in the possession of any such person, or in any such house or place as aforesaid; and in case admission into such house or place shall be refused or not obtained within a reasonable time after it shall have been demanded, to enter by force, by day or by night, into every such house or place whatsoever, and to detain or cause to be detained in safe custody, in such place as the said Justice of the Peace or other Officer by whom such warrant was granted shall appoint and direct, the arms or munitions of war found and seized as aforesaid, unless the owner thereof shall prove to the satisfaction of such Justice, or officer by whom such warrant was granted that such arms or munitions of war were not kept for any or either of the purposes aforesaid.

Proceedings in case admission is refused.

15. It shall be lawful for any person from whom any such arms or munitions of war shall be so taken as last aforesaid, in case the Justice of the Peace or Officer upon whose warrant the same shall have been taken, shall, upon application made for that purpose, refuse to restore the same, to apply by petition for the restoration of the same in the manner hereinbefore provided in the eleventh Section of this Act, and the Court in which any such petition has been filed, or any Judge thereof, shall make such order for the restoration or safe custody of such arms or munitions of war, as shall upon such petition appear to be proper.

Appeal to Court for restoration of same.

16. Nothing in this Act shall be construed to interfere with any law in force in this Province respecting the *Writ of Habeas Corpus.*

This Act not to interfere with *Habeas Corpus.*

17. The word "arms," shall be held to mean and include any weapon or weapons or portions of any weapon or weapons or arms, and any thing necessary for the ordinary use and any ordinary or necessary appendage of any weapon or weapons or arms, or munitions of war or for the carriage or transport of any weapon or weapons or arms or munitions of war.

Interpretation of word "arms."

18. The word "munitions of war" shall be held to mean as well any weapon or weapons or arms, and any portion or portions of any weapon or weapons or arms, and any thing necessary for the ordinary use and any ordinary or necessary appendage of any weapon or weapons or arms, or for the carriage or transport of any weapon or weapons or arms or munitions of war, as also all ammunition and substances employed in the manufacture or composition of ammunition, gunpowder, shot, shell or materials for encasing the same or forming ingredients thereof, or used therewith, and all or any inflammatory, combustible or explosive article or articles, substance or substances, and all or any inflammatory combustible or explosive missiles or machines, and all or any thing or things necessary or requisite for the use, and any ordinary or necessary appendages of any arms or munitions of war.

Interpretation of words "munitions of war."

19. This Act shall continue in force for one year from the passing thereof, and until the end of the then next Session of Parliament.

Duration of Act.

24th March, 1865.

The Committee have had under consideration a memorandum dated 23rd March, 1865, from the Hon. the Minister of Militia, representing that as the war which has for some years past desolated the neighbouring Republic, has not been brought to a close, and as the danger still exists that new outrages by refugees amongst us may be attempted on the adjoining friendly States, he is of opinion that a portion of the Force which has, since last autumn, been employed on the frontier in order to secure, as far as possible, strict neutrality, should be continued for three months longer; and that although the pay and allowances given to the men so employed may be deemed high and in excess of that which the Province ought to bear for any length of time, yet, at this season of the year when labour commands an increased value, he is of opinion the rates now allowed to the men should be continued for the three months stated.

He moreover submits that in view of relieving the officers and men who so readily responded to the call of the Government last autumn, as well as to afford an opportunity to another portion of the Volunteer Force to become acquainted with Garrison and Field duties, the Companies now employed should be re-called on the 1st of May next, and replaced by twenty-one other Companies of the same Force, to be taken, as equally as possible from the different parts of the Province and distributed on the frontier in such numbers and in such manner as His Excellency the Commander of the Forces shall direct.

The Committee concur in the recommendation of the Hon. the Minister of Militia and advise that the same be approved and acted on.

FRONTIER FORCE.

June 27th, 1865.

On the recommendation of the Honorable the Minister of Militia, and for the reasons assigned in his memorandum of this days's date, the Committee advise that the active Volunteer force, now employed on the frontier, be on and from the 3rd of July, proximo, discontinued and withdrawn. Each member of the force receiving a gratuity equal to seven days' pay, according to rank, and being relieved from the unpaid portion of his contribution to defray the expense of his "fatigue" dress.

They also advise that the Frontier Police Force, under the charge of Colonel Ermatinger, be forthwith reduced to the smallest number of officers and men that the service in which they are engaged will admit of, and that instructions to that effect be at once issue to Colonel Ermatinger.

Memorandum.

ORDER IN COUNCIL,
27th June, 1865.

The Minister of Militia deems it expedient to bring under the notice of his colleagues the subject of the Volunteer Force now on active duty on the Canadian frontier.

The cessation of the deplorable troubles that have so long prevailed in the neighboring country, and the thorough tranquility that has existed for some time along the whole line of our frontier, and the absence of any cause for apprehending that the peace of our borders will again be disturbed, will, in the opinion of the undersigned, warrant the withdrawal of the frontier force at an earlier date than that originally intended.

Moreover, the heavy expense that the maintenance of such force necessarily entails, especially at a period when the heavy decrease in the revenue calls for the exercise of the strictest economy which the efficiency of the public service will admit of, requires that the force should be maintained no longer than is indispensably necessary.

The undersigned would therefore recommend that the Frontier Volunteer Force be discontinued and withdrawn on the 3rd day of July, proximo, but that in consideration of the unexpected alteration in the period for which they were called out, he recommends that each officer, non-commisioned officer and private in the force shall receive a gratuity equal to seven days' pay of their respective ranks, on their discharge, and in addition thereto, be relieved from the unpaid portion of their contribution to defray the expense of their "fatigue" dress.

The undersigned, for the reasons above assigned, would further recommend that the Frontier Police Force, under the charge of Colonel Ermatinger, be immediately reduced to the smallest number of officers and men that the service on which it is engaged will admit

(Signed,) E. P. TACHE,
Minister of Militia.

QUEBEC, 27th June, 1865.

27TH JULY, 1865.

The Committee have had under consideration a memorandum from the Crown Law Officers, Upper Canada and Lower Canada, reporting that in their opinion quiet has been

so completely restored along the Southern Frontier of Canada, that there is no longer any reasonable apprehension of a renewal of the outrages which necessitated the organization of the Frontier Police, both in Upper and Lower Canada; they therefore recommend that such Police Force be discharged, and that the stipendiary magistrates be instructed accordingly.

They moreover suggest that each of the magistrates be instructed to select not more than five of the most competent persons from their respective corps to act as detectives, it being understood that those men, or any of them, may at any time be discharged on a month's notice, or on getting a month's pay.

The Committee submit the above recommendations for Your Excellency's approval.

V.—JOHNSON'S ISLAND AFFAIR, LAKE ERIE.

(Copy.) *Lord Lyons to Viscount Monck.*

WASHINGTON, November 13th, 1863.

MY LORD,—I have the honor to transmit to Your Excellency, a copy of a letter which I addressed to Mr. Seward on the receipt of Your Excellency's telegram of the day before yesterday's date, respecting the project of the so-called Confederate refugees in Canada. I enclose also copies of three reports respecting these projects, which were sent to me by Mr. Seward for my information, and a copy of a note which I have received this afternoon from Mr. Seward, informing me that he has requested the Honorable Preston King to visit Your Excellency with a view to confer with you so as to secure a perfect understanding between Your Excellency and the agents of the United States.

I have the honor to be, My Lord,

Your Excellency's most obedient humble servant,

(Signed,) LYONS.

His Excellency Viscount Monck,
&c., &c., &c.

(Copy.) *Lord Lyons to Mr. Seward.*

WASHINGTON, Wednesday Night,
November 11th, 1863.

MY DEAR SIR,—Persons hostile to the United States, who have sought an asylum in Canada appear to be engaged in a serious and mischievous plot. Indeed if the information which has reached the Governor General be correct, they have a project for invading the United States, and attacking and destroying the City of Buffalo. They purpose to get possession of some of the steamboats on Lake Erie, to surprise Johnson's Island and set free the prisoners of war who are confined there, and to proceed with them to attack Buffalo. The Governor General suggests that steamboats should be watched. And he appears to have some suspicions connected with Ogdensburg. He has taken all the precautions in his power, has ordered a sharp look out to be kept on the Welland Canal, and desired that any steamboats giving cause for suspicion by the number or character of the passengers on board shall be arrested. You will excuse my disturbing you so late, the information has only just reached me by telegraph, and it may be important that you should know it without delay. The Governor General authorises me to communicate it to you.

Believe me, &c., &c.,

(Signed,) LYONS

Hon. W. H. Seward,
&c., &c., &c.

(Copy.) *Governor Tod to Hon. E. M. Stanton.*

Telegram received 10.20 p. m.

COLUMBUS, OHIO, November 12th, 1863.

"Nothing especial from Johnson's Island this evening. I doubt not we have made every provision necessary for its safety. The guard on the Island has been increased five hundred. General Mason went up this morning and General Cox this evening. I have called out a Volunteer Militia Force of two thousand to assemble at Sandusky; and have ordered the Volunteer Force at Cleveland and Toledo to hold themselves in readiness to come out at a moment's warning."

(Signed,) DAVID TOD,
Governor.

Hon. E. M. Stanton,
Secretary of War.

(Copy.) *Lieutenant-Colonel W. S. Parsons to Colonel W. Hoffman.*

Telegram received 9.20 p. m.

SANDUSKY, OHIO, November 12th, 1863.

Col. W. Hoffman, Com. Gen. of Prisoners:

Battery of four guns is trying to land on Cedar Point. Have two guns here. *Michigan* off the Island. Five hundred men arrived from Cleveland by order of General Cox. Colonel Smith telegraphs the expedition is organizing at Port Stanley.

(Signed,) WM. S. PARSONS,
Lieut-Col. Commanding.

(Copy.) *Brig.-General Cox to Hon. E. M. Stanton.*

Telegram, received 10.5, a. m., Nov. 13th, 1863.

SANDUSKY, OHIO, 11.50, p. m., Nov. 12th, 1863.

"Have arrived here. Governor Tod will furnish two regiments of Volunteer Militia to-morrow, and with them and the Battery of Parrott's on the way from Cincinnati, this place and the present Depot will be safe.

"Port Stanley, in Canada, is said to be the Rebel rendezvous. Will report further in the morning.

(Signed) J. D. COX,
Brigadier General.

Hon. E. M. Stanton,
Secretary of War.

(Copy.) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, 12th Nov., 1863.

MY LORD,—I have the honor to acknowledge the note which was sent to me by Your Lordship at a late hour last night, apprizing me, at the request of His Excellency Lord Monck, the Governor General of Canada, of a rumoured plot to disturb the peace and security of the Lake Frontier. After thanking you, in the name of the President, for the information, conveyed in so just and liberal a spirit, I have now to state to Your Lordship that the necessary measures have been taken to defeat the criminal enterprise to which I have alluded. Major-General Dix will at once repair to the Frontier and take charge of the execution of these measures. Solicitous that they may be conducted in perfect comity and respect towards to Her Majesty's authorities, I have, by the President's

direction, requested the Hon. Preston King to visit Lord Monck, and to confer with him on the subject. so as to secure a perfect understanding between the Governor General and the agents of the United States.

I will esteem it a favor if you communicate to him the facts I have stated and the views I have expressed in this note.

I have, &c.,

(Signed) W. H. SEWARD.

The Lord Lyons.

(Copy.)

Lt. Col. R. H. Hill to Col. Fry.

A. A. PRO. MAR. GENL. OFFICE,
Detroit, Nov. 9th, 1863.

COLONEL,—There have a good many rumors reached my ears recently in relation to projected movements from Canada by rebel refugees now there. These rumors have generally looked to an occupation for a time of the Northern Lakes, release of prisoners at Johnson's Island and Chicago, and the seizure of the U. S. steamer *Michigan*, and have generally been so wild that I have not attached any importance to them. In the last few days, disclosures have been made to myself and Colonel Smith, that I place some reliance on. A rebel agent has just arrived at Windsor, with certificate of specie deposits in places in the rebel States, amounting to over $100,000. These certificates are signed by Mr. Menninger, and are drawn in favor of Henry Marvin. This agent also bears a recommendatory letter from Mr. Benjamin in favor of W. M. Marvin. These certificates I am told can be readily negotiated at Windsor, and are of a similar character to those negotiated in Europe. A further supply is soon expected; and all the information I obtain relates to steamers to be purchased at Montreal, for which these funds are transmitted to Canada.

*John M. Jones, formerly Assistant Adjutant General in our service, has just arrived at Toronto, I am told, and there are said to be several rebel naval officers in Canada.

That some project of magnitude is in contemplation I feel very certain, and I have communicated with the United States Consul General at Montreal.

Since writing the above, I am informed that nearly all of the rebel refugees have left for Montreal and the information points more positively to Johnson's Island.

I have furnished Col. Smith, Military Commander, with an officer to proceed to-night to Johnson's Island and explain more fully the information I have received.

Very respectfully,

(Signed,) R. H. HILL,
Lt. Col. Vol. Artillery,
A. A. Prov. M. Genl.

*There are about 2000 rebel refugees, escaped prisoners and active rebel sympathizers in Canada.

(Copy.)

Lord Monck to the Duke of Newcastle.

No. 113.

GOVERNMENT HOUSE,
Quebec, November 19th 1863.

MY LORD DUKE,—I have the honor to inform Your Grace, that in the afternoon of of Wednesday, the 11th inst., private information, which I believed to be deserving of credit, reached me to the effect that a plan was being organized by some refugees from the Southern portion of the United States resident in this Province, for an attack on some point of the United States territory adjoining the frontiers of Canada.

The plan of operations revealed to me was that the parties to this scheme should assemble from different points on board one of the ordinary trading steamers on Lake Erie, overpower the crew when the steamer was clear of the land, proceed to Johnson's Island

in Sandusky Bay, Lake Erie, where there are at present a considerable number of Confederate prisoners of war confined, liberate these prisoners, and with the aid of this addition to their numbers, make a descent on Buffalo, or some other city of the United States on the shores of the Lake.

I deemed it my duty immediately to put Lord Lyons in possession of intelligence which I had received for the information of the Government at Washington, and I communicated it to His Excellency by telegraph.

I considered also that I was bound to exercise every power with which I am invested by law, to prevent any invasion of the possessions of the United States by persons proceeding from Canadian territory.

With this object in view, I despatched a trustworthy person in the employment of the Government, to watch the boats passing through the Welland Canal from Lake Ontario to Lake Erie.

This gentleman had previously been instrusted by the Attorney General for Lower Canada, in the provisions of the Foreign Enlistment Act, and had been informed of the steps which he should take in the event of circumstances arising, calculated to arouse well grounded suspicions in regard to the passengers on board any of the steamers passing through the canal.

I also requested the Lieutenant General commanding Her Majesty's Forces, to give directions that the detachments of the Canadian Rifles, which are posted during the summer season on the Welland Canal, and are usually relieved at this period of the year, should be detained in their present quarters until further notice.

It is right for me to mention that the existence of a plot of the sort to which I have alluded, has been within the last few days openly avowed by a journal in this Province, which is generally supposed to speak the sentiments of the Southern leaders, but it states at the same time that in consequence of the premature disclosure of the scheme it had proved a failure.

I have little doubt that the attitude of watchfulness which has been assumed by the authorities of the United States will prevent the recurrence of any further schemes of this kind, and I trust Your Grace will approve of the steps I have taken to prevent the infraction of British neutrality by persons enjoying Canadian hospitality.

I may add that I have no reason whatever to believe that any British subject was implicated in the scheme.

I have, &c.,
(Signed,) MONCK.

His Grace
The Duke of Newcastle,
&c., &c., &c,

(Copy.) *Duke of Newcastle to Viscount Monck.*

No. 21. DOWNING STREET,
March 1st, 1864.

MY LORD,—I have the honor to transmit to you, for Your Lordship's information, a copy of a letter addressed to Earl Russell by Mr. Adams, the American Minister at this Court, calling the attention of Her Majesty's Government to an article which has appeared in an Index newspaper, which I also enclose, respecting the late attempt to release the Confederate prisoners of war confined at Johnson's Island.

I have, &c.,
(Signed,) NEWCASTLE.

Viscount Monck.

(Copy.)

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, February 22nd, 1864.

MY LORD,—I beg permission to submit to your consideration, a copy of a journal called the *Index*, published in the interest and under the direction of the emissaries of the Insurgents in London. On page 107 of this number there appears what purports to be a letter from a person who was engaged in the enterprize started in Canada to invade a portion of the territory of the United States. It would seem from the admissions made by this individual that the efforts to make Canada the basis of an attack had been fully sanctioned by the so-called authorities at Richmond, under the pretence of exercising the right of passage through the territory. It is almost needless to point out to Your Lordship the fraudulent character of these operations, a feature so generally perceptible in the proceedings of these same parties in foreign countries.

I pray, &c.,

(Signed,) CHARLES FRANCIS ADAMS.

THE CANADIAN EXPEDITION.

A gentleman who was engaged in the frustrated attempt to rescue the Confederate prisoners confined on Johnson's Island, near the Canadian frontier, writes to us to correct some mis-statements which have obtained currency through the Federal press. He says, "you are aware of the leading facts of this affair and know that our object was defeated by the authorities of the Province. Perhaps you have already learned the secrets of the plan, but if you have not, a few words might be of service. The prisoners who had been released from Johnson's Island, the Federal prison in Lake Erie, conceived a plan to capture the Island and release the large number of officers confined there. The assent of the Confederate Government was asked, but long refused, from a doubt whether it could be effected without violating the neutrality of British territory. This objection was at last so far overcome that a certain number of officers received leave to attempt the hazardous experiment, but under strict orders to do or permit no act, directly or indirectly liable to be construed into such violation, to buy no materials of war and enlist no assistance on British soil, but only to exercise the right of passage as individuals. Accordingly, upon arriving in Canada, arms and cannon were purchased in New York, and were sent by parties there up to the Lake where we could use them. Not an article was obtained in Canada. Even medicines and surgical instruments were furnished from New York, and all correspondence with the prisoners was carried on through the personal column of the New York *Herald*. Several British officers wished to join, but they, as also the assistance of many Canadian gentlemen, were refused. The basis of our operations was to be on Yankee territory, the means for carrying out our object, viz: to release the prisoners, to be obtained there alone. This principle was adhered to in perfect good faith, in spirit as well as in letter, though not without some difficulty. Success would have been certain had not an unexpected obstacle caused delay. The *Michigan*, a Federal Gun Boat, had anchored off the Island, and it then became necessary to capture her before releasing the prisoners. To do this more men were necessary, and some Confederates, who had recently escaped from camps Chase and Douglas were taken as volunteers. There was no one of the party owing allegiance to Great Britain, or who had "found an asylum on her soil," as the papers had it. But when we had completed our preparations with the aid of friends in the Federal States, the very day before it was to have been executed, it reached the ears of the Governor General, and the Yankees being immediately warned by him, it became impossible.

"Such is the whole affair in a nutshell. You will see that all we asked of Canadian authorities was the right of passage to Yankeedom, individually and unarmed, we having neither the means nor the intention to commit a belligerent act before reaching Yankee jurisdiction. You can draw your own inference from the facts. Some of the Canadian

and even some of the English papers, I am told, have taken a different, and, as it appears to me, a wholly erroneous view of the matter.

VI.—Lake Erie Outrage and Bennett G. Burley.

(Copy.) No 51. *Lord Monck to the Secretary of State.*

Quebec, February 10th, 1865.

Sir,—I have the honor to transmit, for your information, a complete copy of all the evidence taken before the Recorder of Toronto in the matter of Bennett G. Burley, of whose delivery to the United States Government, under the provisions of the Extradition Treaty, I informed you in my despatch No. 43 of the 3rd inst.

I also enclose copy of the Recorder's report, acquainting the Provincial Secretary with the order that he had made in the case.

I have, &c.,

(Signed) Monck.

Secretary of State.

(Copy.) No. 37. *Lord Monck to Mr. Cardwell.*

Quebec, January 30th, 1865.

Sir,—Referring to former communications on the case of Bennett Burley, accused of robbery within the territories of the United States, and for whose extradition an application has been made by the authorities at Washington, I have the honor to transmit for your information, a copy of the Toronto *Globe* newspaper, containing a report, which, I have reason to believe, is substantially correct, of the judgments delivered by the Judges before whom this man's case was brought on a writ of *Habeas Corpus*.

I shall this day issue my Warrant for the delivery of Burley to the authorities of the United States.

I have the honor to be, Sir,
Your most obedient Servant,

(Signed) Monck.

The Right Honble.
E. Cardwell, M. P.

(Copy.) *Lord Monck to the Secretary of State.*

No. 3.

Quebec, January 2nd, 1865.

Sir,—With reference to my despatch No. 211, of the 30th December, I have the honor to transmit for your information, copies of further documents in the case of Bennett G. Burley.

I have, &c.,

(Signed) Monck,

The Secretary of State.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 211.

Quebec, December 30th, 1864.

Sir,—Referring to my despatches noted in the margin, I have the honor to transmit copies of the depositions taken before the magistrates in the case of Bennett G. Burley,

who is accused of having been engaged in the outrage referred to, and for whose extradition an application has been made by the Government of the United States.

I have, &c.,

The Hon. E. Cardwell. (Signed) MONCK.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 145.

7TH OCTOBER, 1864.

SIR,—With reference to my despatch (confidential) of Sept. 26th, I have the honor to enclose copies of a despatch which I addressed to Her Majesty's *Charge d'Affaires* at Washington, acquainting him with the measures adopted by me in consequence of the recent occurrences on Lake Erie, and of the reply which I have this day received from Mr. Burnley.

I have, &c.,

The Hon. E. Cardwell, (Signed) MONCK.
&c. &c., &c.

(Copy.) *Lord Monck to Mr. Burnley.*

J. H. Burnley, Esq.

QUEBEC, 26th Sept., 1864.

SIR,—I have the honor to inform you that immediately on the receipt of the intelligence from yourself and from the local officers of the Canadian Government at Windsor, C. W., of the perpetration of the late outrage on Lake Erie, in connection with the United States steamboats, *Phil. Parsons* and *Island Queen*, instructions were forwarded by telegraph to the local Canadian Officers of Justice to use every exertion within their power for the detection and arrest of persons concerned in the transaction alluded to, if it should be found that they had sought asylum on Canadian soil.

I also directed the Solicitor General for Canada West, who happened to be at that time in Canada West, to proceed at once to Windsor, and put himself in communication with the authorities of the United States, in order to render them any assistance in his power. I have desired that the detachment of Regular Troops which was removed from Windsor only about a fortnight since, should return to that place, in order that they may be prepared to act in aid of the civil power, should such co-operation be necessary.

I shall feel much obliged if you will communicate, the substance of this despatch to Mr. Seward—verbally.

I have, &c.
(Signed,) MONCK.

(Copy.) *Lord Monck to Lord Lyons.*

His Excellency Lord Lyons. QUEBEC, December 6th, 1864.

MY LORD,—I have the honor to acknowledge the receipt, this day, of your despatch, of November 30th, enclosing a note from the Secretary of State of the United States, demanding the extradition of one Bennett G. Burley, accused of the crimes of piracy, robbery and assault with intent to commit murder within the territory of the United States.

In reply I have the honor to state, for the information of Mr. Seward, that so soon as I shall be advised that the proofs required by the Treaty of Extradition shall have been

completed in this case, the necessary warrant shall be issued for the delivery of Burley to the authorities of the United States.

I have, &c.,

(Signed.) MONCK.

Lord Monck to Mr. Burnley.

(Copy.) QUEBEC, January 31st, 1865.

SIR,—Referring to your despatches of Oct. 16th, 1864, and November 30th, 1864, and their enclosures, I have the honor to inform you, for communication to the Secretary of State of the United States, that I have issued my warrant for the extradition of Bennet G. Burley, charged with the crime of robbery within the jurisdiction of the United States.

I have, &c.,

(Signed,) MONCK.

J. Hume Burnley, Esq.,
&c., &c., &c.

Mr. J. Hume Burnley to Viscount Monck.

(Copy.) WASHINGTON, October 1, 1864.

MY LORD,—In reply to Your Excellency's despatch of the 26th instant, relative to the occurrences on Lake Erie, I have the honor to state that I have made Mr. Seward verbally acquainted with the substance of it.

Mr. Seward begged me to express his thanks to Your Excellency for the assistance tendered by you and the Canadian authorities towards the detection and arrest of the prisoners concerned in the affair.

I have, &c,,

(Signed,) J. HUME BURNLEY,

His Excellency,
The Viscount Monck,
&c., &c., &c.

J. Hume Burnley (for Lord Lyons) to Viscount Monck.

(Copy.) Washington, November 30th, 1864.

MY LORD,—I have the honor to transmit herewith, to Your Excellency, a copy of a note which I have received from the Secretary of State of the United States requesting the extradition of Bennett G. Burley.

I have the honor to be, My Lord,
Your Excellency's most obedient humble servant,
(For Lord Lyons,) J. HUME BURNLEY.

The Viscount Monck,
&c., &c., &c.

(Copy,) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, Nov. 29, 1864.

MY LORD,—Credible information having been received at this Department, that Bennett G. Burley, charged with the crimes of piracy, robbery and assault, with intent to

commit murder, on board the United States merchant steamer *Philo Parsons*, upon Lake Erie, and within the jurisdiction of the United States, is a fugitive from the justice of the United States in Canada, and that he is now held in custody at Toronto, in that Province, awaiting the requisition of this Government for his extradition in virtue of the provisions of the 10th Article of the Treaty of Washington, I have now the honor to request through Your Lordship, that Her Majesty's Government be pleased to issue the necessary warrant for the delivery of the aforenamed Bennett G. Burley to Joseph Dimmick and James Henry, or to any other person or persons who may be duly authorized by the Marshal of the United States for the Eastern District of Michigan, to receive the said fugitive and to bring him back to the United States for trial.

I have, &c.,

(Signed,) W. H. SEWARD.

The Right Honorable Lord Lyons, G.C.B.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 43.

QUEBEC, 5th February, 1865.

SIR—Referring to my despatch, No. 37, of the 30th January, I have the honor to transmit to you a copy of the warrant which I issued for the delivery to the authorities of the United States of Bennett Burley, charged with having committed robbery within the jurisdiction of the United States. I also enclose authenticated copies of the judgments delivered by the Judges before whom the writ of *Habeas Corpus* sued out in this case was tried.

I have received information by telegraph to-day, that Burley was this morning given up to officers appointed to receive by the United States Government.

I have, &c.,

(Signed) MONCK.

The Right Honorable E. Cardwell,
&c., &c. &c.

(Copy.) *Mr. J. Hume Burnley to Mr. Seward.*

WASHINGTON, March 15th, 1865.

SIR,—With reference to the case of B. G. Burley, who has been given over by the Canadian authorities, to the United States Government, under the extradition treaty on a charge of robbery, Her Majesty's Government have recently had under their consideration, in connection with the proper Law Advisers of the Crown, a statement forwarded to them by a member of the House of Commons at the request of Burley's father, relative to his son, from which it would seem that fears are entertained that B. Burley will not be tried before the United States Courts on the charge of theft, but on a charge of piracy, and Mr. Burley, Sen., asks for the good offices of Her Majesty's Government, on behalf of his son, in so far as that he may not be tried on any other charge than that on which the claim was made for his extradition.

Her Majesty's Government having considered the application, are of opinion that if the United States Government having obtained the extradition on the charge of robbery, do not put him on his trial upon this charge, but upon another, viz: piracy, which if it had been made before the Canadian authorities, they might have held not sufficiently established to warrant his extradition, this would be a breach of good faith against which Her Majesty's Government might justly remonstrate. Her Majesty's Government are therefore willing, should the grounds upon which Burley is to be tried take the above turn, to comply so far with the application of Mr. Burley, Sen., as to instruct me to protest against any attempt to change the grounds of accusation upon which Burley was surrendered in pursuance of the treaty.

I have, &c.,

(Signed,) J. H. BURNLEY.

(Copy.) *Mr. Seward to Mr. Burnley.*

DEPARTMENT OF STATE,
Washington, March 20th, 1865.

SIR,—I recur to your note of the 15th of March, which relates to B. G. Burley.

The Hon. the Attorney General informs me that it is his purpose to bring the offender to trial in the Courts of the States of Ohio and Michigan for the crimes committed by him against the municipal laws of those States, namely, robbery and assault with intent to commit murder. He was delivered up by the Canadian authorities upon a requisition which was based upon charges of those crimes, and also upon a charge of piracy, which is triable not by States Courts, but by the Courts of the United States. I am not prepared to admit the principle claimed in the protest of Her Majesty's Government, namely, that the offender could not lawfully be tried for the crime of piracy under the circumstances of the case.

Nevertheless the question raised upon it has become an abstraction, as it is at present the purpose of the Government to bring him to trial for the crimes against municipal law only.

I have, &c.,
(Signed,) W. H. SEWARD.

J. H. Burnley.

VII.—MANUFACTURE OF "GREEK FIRE" IN CANADA.

(Copy.) *J. Hume Burnley to Viscount Monck.*

WASHINGTON, December, 14th 1864.

MY LORD,—I have the honor to enclose herewith copies of a note and its enclosures, which I have received from the Secretary of State of the United States, relative to the alleged manufacture of what is known as "Greek Fire," for use in attempts to burn cities of the United States.

I have, &c.,
(Signed) J. H. BURNLEY.

His Excellency,
The Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Seward to J. Hume Burnley.*

DEPARTMENT OF STATE,
Washington, 13th December, 1864.

SIR,—I have the honor to enclose, for the information of the Governor General of Canada, a copy of a communication of yesterday, from the War Department, in regard to the alleged manufacture of what is known as "Greek Fire," for use in attempts to burn cities of the United States.

I have, &c.,
(Signed) W. H. SEWARD.

J. H. Burnley, Esq.

(Copy.) *E. D. Townsend to Mr. Seward.*

WAR DEPT., ADJT.-GENERAL'S OFFICE.
Washington, December 12, 1864.

SIR,—By direction of the Secretary of War, I have the honor to forward herewith

copies of letters from Major-General Hooker and Lieut.-Col. Hill, in relation to the manufacture of "Greek Fire" at Windsor, Canada, to be used in firing certain cities of the United States by rebel emissaries.

I have, &c.,
(Signed) E. D. TOWNSEND.

Honble. W. H. Seward.

(Copy.) *Major-General Hooker to Brig.-General E. D. Townsend.*

HEAD QUARTERS, Northern Dept.,
Cincinnati, Ohio, December 6th, 1864.

Brig.-General E. D. Townsend,
Adjt.-General, U. S. A.

GENERAL,—I have the honor to forward herewith a copy of a letter, dated 3rd inst., just received from Lieut.-Col. R. H. Hill, commanding the district of Michigan, as it contains information of importance to all of our frontier bordering on Canada. The information has been furnished by one of our most reliable detectives and unusual confidence may be placed in it. A few days since advices of similar import were received by me. From the letter it will be seen that refugees and deserters from the Rebel Confederacy are engaged in the manufacture of "Greek Fire" at Windsor, in Canada, to facilitate their incendiary purposes. With regard to attacks from armed bodies of Rebels, I feel much less apprehension than from individual efforts to burn and plunder our cities, as my means of information are such that I hope to be able to anticipate the former.

It is almost unnecessary for me to add that I have enjoined unceasing vigilance and activity on the part of the military and civil authorities throughout my command.

I have, &c.,
(Signed) JOSEPH HOOKER,
Major.-Genl. Comg.

(Copy,) *Col. R. H. Hill to Captain C. H. Potter.*

HEAD QUARTERS, DISTRICT OF MICHIGAN,
Detroit, December 3rd, 1864.

SIR,—I have the honor to report that from information I have received, I am satisfied that very extensive preparations are being made in Canada, for burning not only cities on the lakes, but others, and it is very necessary that great precaution and vigilance should be observed everywhere.

I have the assurance that "Greek Fire" is being prepared in Windsor, Buffalo, Cleveland and this city will be the principal cities to be burned, and there will be armed attempts to rob and plunder. Cincinnati and Louisville are also mentioned.

I am also informed that by some means a large number of rebel soldiers have been introduced into Canada; some, it is said, have been furloughed, and have made their way through the lines.

I have at this time very excellent means of obtaining information, and the only apprehension I have is that the person in my employ may fail me at the last moment.

In this city I have called the attention of the hotel-keepers to the necessity of observing great vigilance in regard to their guests, and the hotels are daily visited by a secret agent in my employ.

I am,
(Signed) R. H. HILL,
Lieut.-Col. 5th U. S. Arty.,
Comdg. District of Michigan.

To C. H. Potter,
Captain and A. A. G.,
Head Quarters W. Dept. Cincinnati, O.

Lord Monck to Mr. Burnley.

(Copy.)

QUEBEC, Dec. 20th, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 14th inst., and enclosures relative to the alleged manufacture at Windsor of "Greek Fire," for use in attempts to burn cities in the United States.

In reply, I have the honor to state, that I will take immediate measures to have the truth of this allegation investigated, and, should it prove well founded, I will adopt such proceedings as may be within my power to defeat the objects of those engaged in the manufacture.

I have, &c.,

(Signed,) MONCK.

J. H. Burnley, Esq.

Lord Monck to Mr. Burnley.

(Copy.)

QUEBEC, December 26th, 1864.

SIR,—With reference to your despatch of the 14th instant, on the subject of the alleged manufacture in Canada of "Greek Fire," for the purpose of burning cities in the United States. I have the honor to transmit to you, for the information of the Government of the United States, a copy of a letter from the Attorney General of Canada West, showing the measures that have been taken in order to obtain evidence in the matter.

I have, &c.,

(Signed,) MONCK.

J. Hume Burnley, Esq.,
&c., &c., &c.

Mr. J. Hume Burnley to Viscount Monck.

WASHINGTON, January 2, 1865.

MY LORD,—I transmitted to the Secretary of State of the United States, copies of Your Excellency's despatch of the 26th ultimo, and of its enclosure, relative to the reported manufacture in Canada of "Greek Fire," and I have the honor to transmit herewith, a copy of the reply which I have received from the Secretary of State.

I have, &c.,

(Signed,) J. H. BURNLEY.

His Excellency,
The Viscount Monck,
&c., &c., &c.

Mr. Seward to Mr. Burnley.

(Copy.)

DEPARTMENT OF STATE,
Washington, Dec. 31, 1864.

SIR,—It has given me great satisfaction to receive your communication of the 28th instant, in regard to the reported manufacture of what is known as "Greek Fire," for use in attempt to burn cities of the United States.

I am, &c.,

(Signed,) W. H. SEWARD.

J. H. Burnley.

J. Hume Burnley to Viscount Monck.

(Copy.)

Washington, January 17th, 1865.

My Lord,—I transmitted to the Secretary of State of the United States, copies of Your Excellency's note of the 26th ultimo, and of its enclosures, relative to the measures which had been taken in order to obtain evidence on the subject of the alleged manufacture of "Greek Fire" in Canada.

I have the honor to forward, herewith, copy of the Secretary of State's reply.

I have, &c.

(Signed,) J. Hume Burnley.

To His Excellency
The Viscount Monck,
&c., &c., &c.

Mr. Seward to Mr. Burnley.

(Copy.)

Department of State,
Washington, 14th Jany., 1865.

Sir,—I have the honor to acknowledge the receipt of your note of the 31st ultimo, informing me of the measures adopted by the Governor General of Canada to prevent the manufacture, in that Province, of "Greek Fire" to be used by the insurgents in their attempts to burn the Northern cities of the United States, and in reply to express my satisfaction with the action of Viscount Monck in the matter.

Accept, &c.,

(Signed,) W. H. Seward.

J. H. Burnley, Esq.

VIII.—Steamer "Georgian."

J. Hume Burnley (for Lord Lyons) to Viscount Monck.

(Copy.)

Washington, November 7th, 1864.

My Lord,—I sent to you, this day, the following telegram :—

"I have received the following telegram from Mr. Seward, from Auburn. I give the following despatch from General Dix.

"I am advised by the Mayor of Buffalo that the propeller *Georgiana* is cruising on the Canadian shore for the purpose of encountering the steamer *Michigan*, and for piratical or predatory enterprise on the frontier. Please give notice to Governor Monck.

"(Signed) William H. Seward, Washington, November 7th."

I have. &c.

For Lord Lyons, (Signed) J. Hume Burnley.

His Excellency Viscount Monck,
&c., &c., &c. &c.

J. Hume Burnley (for Lord Lyons) to Viscount Monck.

(Copy.)

Washington, Nov. 11th, 1864.

My Lord,—I had the honor to send Your Excellency, this day, the following telegram :—

Major-General Peck telegraphs to Mr. Seward as follows, from Buffalo.

The *Georgiana* is near Port Colborne, twenty miles distant. She was lately purchased at Toronto, Canada West, for commercial purposes, and seventeen thousand dollars in gold paid. The price is far beyond her value in the opinion of the best judges. This, in connection with the fact that the business season is at an end, stamps the transaction with suspicion and warrants the belief that she is intended for raiding operations.

I have, &c.,

For Lord Lyons, (Signed) J. HUME BURNLEY.

His Excellency,
Viscount Monck,
&c., &c., &c.

Mr. J. Hume Burnley (for Lord Lyons) to Viscount Monck.

WASHINGTON, November 12, 1864.

MY LORD,—With reference to the telegraphic correspondence with Your Excellency on the subject of the *Georgian*, or *Georgiana*, I have the honor to enclose copy of a note and of two enclosures, which I have received from Mr. Seward, being the correspondence forwarded to him on this subject by Mr. Thurston, Vice Consul General of the United States at Montreal.

I deem it at the same time right to inform Your Excellency that Her Majesty's Consul at Buffalo incidentally mentions, among other topics, that he had been "informed by a gentleman well posted as to commercial affairs on the frontier, that this steamer is engaged on a legitimate expedition, having been chartered for the purpose of towing timber rafts from the St. Clair River to a port on the Canadian side of the Lake."

I have, &c.,

For Lord Lyons, (Signed,) J. HUME BURNLEY.

His Excellency Viscount Monck,
&c., &c., &c.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, 11th November, 1864.

MY LORD,—I have the honor to communicate, for Your Lordship's information, and that of Her Majesty's authorities in Canada, a copy of a despatch of the 8th inst., from D. Thurston, Esq., the Vice Consul General of the United States at Montreal, and of the paper which accompanied it, in regard to the sale of the schooner *Georgian*, or *Georgiana*, to parties suspected of being agents of the insurgent enemies of the United States, which was the subject of my note to Your Lordship this morning.

I have, &c.,

The Lord Lyons. (Signed) W. H. SEWARD.

Mr. R. J. Himball to Hon. J. F. Potter.

(Copy.)

UNITED STATES CONSULATE,
Toronto, C. W., November 5th, 1864.

SIR,—I have the honor to report the following information which I communicated to the Provost Marshal of Buffalo, N. Y., under date of 3rd November.

It is given to me by four different parties, unknown to each other.

First, Messrs. A. M. Smith & Co. and Geo. H. Wyatt, inform me, in answer to my questions, that they have sold the propellor *Georgian*, which they owned to one Bate:

from Michigan, who intends to use her in the lumber trade; they delivered her at Port Colborne, Canada West, on the 1st or 2nd of this month. They claim that she is particulary adapted to the lumber trade, as she carries heavy woods, with light draught, and the present owners *intend to strengthen her beams for towing.*

I consider they partially admitted that their pay came through the Ontario Bank ($16,500), where, I know, Colonel Thompson, the Confederate agent, keeps his accounts.

The second person says he knows this Bates; knew him in Louisville, Ky. He was at one time the Captain of the steamer *Magnolia*, on the Mississippi River. A third person, whom I well know, but who has previously sympathized with the Confederates, came to me of his accord to *reveal* what he claims as a *great plot*, in order to arrest it, because, he assumes, its success would have a tendency to make trouble between the United States and Canada. He gives, as a synopsis, the following, which, he says, he received from Bates himself.

The *Georgian* is purchased by the Confederates. She is to be strengthened in the bow for a ram, somewhere on Lake Huron. After which she will take on men, common small arms and ammunition, and run into the *Michigan* off Johnson's Island, to sink her; then make a dash to relieve the prisoners, who will at once be furnished with arms if they meet with success, after which the *Georgian* will go on a cruise of destruction, including Buffalo Harbor and other places. My informant claims to know the details of the whole plot, men and places, and would reveal the whole of it to the authorities in the United States if I, as an officer of the United States Government, would pay his expenses, and he also expects the United States to remunerate him. I told him I could not see any difference between his revealing to me or the authorities in Buffalo, and would not comply with his request, but if he would give me his information I would transmit it to the Department, and if it was of *real* service to them, I had no doubt they would do him justice. He would not consent to this.

A fourth person says he has been solicited to join an expedition by the Confederates. They tell him they have a steamer, but would not say what one it was; plenty of arms and ammunition, and they were going to make an attempt to release the prisoners on Johnson's Island. For the purpose of getting more information, he agreed to meet them at Sarnia, this week; would be here on Monday next, and would see me and give me any further information he might obtain. Taking these circumstances altogether, I have no doubt something of the kind is intended, and therefore immediately communicated the intelligence as I received it to the authorities in Buffalo, with the request that they should notify other authorities as they deemed proper.

I am, &c.,

(Signed) R. J. HIMBALL,
U. S. Consular Agent.

Hon. J. F. Potter,
Consul General, B.N.A.,
Montreal, C.E.

Mr. D. Thurston to Mr. Seward.

(Copy.)

U. S. CONSULATE GENERAL,
Montreal, November 8th, 1864.

The Hon. W. H. Seward,
&c., &c., &c.

SIR,—I have the honor to enclose a letter from the Consular Agent at Toronto. in relation to the sale of the schooner *Georgiana*, to a supposed Rebel Agent, by parties residing at Toronto. This is a new vessel, built some year and a half since, in the Georgian Bay, by G. H. Wyatt and others, and has, I believe, made one trip across the Atlantic. She is a splendid vessel, built with great care, a fast sailor, and would, if employed in the business mentioned in Mr. Himball's despatch, be capable of doing immense injury to the shipping on the Lakes. Mr. Wyatt and his partners sold the steamer *Bowmanville* some two years ago; she was ostensibly to be employed in legitimate trade,

but was undoubtedly designed for blockade running. The corroboration of the purposes for which the *Georgian* has been purchased by four persons unknown to each other, would seem to establish the fact that she has been bought for the design of being converted into a Ram by Rebel agents in Canada, and that measures should be at once taken to prevent the plan being executed.

I have notified the Canadian Government.

I have, &c.,
(Signed,) D. THURSTON,
Vice Consul Gen.

(Copy.) *J. Hume Burnley to Viscount Monck.*

Answer 17th December, 1864.

WASHINGTON, December 11, 1864.

MY LORD,—I have the honor to transmit herewith to Your Excellency, copies of a note and of its enclosures, which I have received from the Secretary of State of the United States, relative to the movements of the steamer *Georgian* or *Georgiana*, and two other proceedings which are reported to be on foot in Canada, and to be hostile to the United States.

His Excellency,
The Governor General,
Quebec.

I have &c.,
(Signed,) J. HUME BURNLEY.

Mr. Seward to Mr. Burnley.

(Copy.)

DEPARTMENT OF STATE,
Washington, 8th December, 1864.

SIR,—I have the honor to enclose a copy of a communication of the 5th instant, from His Honor the Mayor of the City of Buffalo, in regard to the movements of the suspected steamer *Georgian* or *Georgiana*, and to other proceedings hostile to the United States which are reported to be on foot in Canada.

I will thank you to call the attention of His Excellency Viscount Monck to this information.

I have, &c.,
J. H. Burnley, Esq. (Signed,) W. H. SEWARD.

(Copy.) TORONTO, 30th November, 1864.

William G. Fargo, Esq.,
Mayor, &c.,
Buffalo, N. Y.

DEAR SIR,—I have delayed writing you concerning the movements of certain parties here, thinking I could ascertain to a certainty what their determination was.

I have in a measure succeeded. Bates would have made the attempt on the cutter *Michigan* had her wheel held good; it became loose again on his arrival in Port Stanley. He then went to Sarnia with her and came himself to Toronto, and upon remonstration with the firm from whom he purchased her, they agreed to get him a new one; he (Bates) told me that he would yet make the attempt if the weather held good. The report that the *Georgian* was going into the Saginaw lumber trade was a mere blind. Finding that you were aroused and prepared, he said that he would make a trip or two to the Sault Ste.

Marie, in the place of the *Algoma* which is disabled, and by that time things would be quiet. He is a determined old fellow and as plausible as an old woman. His Captain, (Milne,) knows the lakes well, on both sides, and is moreover a rank secessionist in feeling. It behooves the people at Sandusky to keep a good look out. Should the winter set in suddenly, Bates will lay up the *Georgian* and come here, when I will get out of him what his intentions are.

There is a man who travels by the name of Smith, (but whose real name is Grant, a Tennessee lawyer,) he is frequently going from here to Hannibal and *vice versa*. He brings information to Col. Thompson and takes information back and connects at Hannibal with scouts who go South. He always crosses at Sarnia, *via* Grank Trunk; he told me that it was safer to cross at Sarnia than at Windsor. If you want a description of him I can give it.

There is another who frequently crosses at the Suspension Bridge and goes to New York. His name is Triggs. Whether he travels by that name or not, I do not know, but there is no mistaking him, I was with him last night.

There is something afoot, the precise nature of which, I have not yet been able to determine, but will find out. There are four or five gangs of them determined to do or die this winter.

Our Solicitor General West is up here trying to find out about this cannon manufactory.

There is another leader of the Confederates here, by the name of Baker.

We had a great influx of them last week, and after a day or two they separated again. Yesterday a lot of them returned a second time. I will find out what they are at as soon as Bates gets back and I see him; I will sound him and let you know.

Yours truly,

FIDES.

(Copy.) *Wm. G. Fargo to Mr. Seward.*

MAYOR'S OFFICE,
Buffalo, 5th December, 1864.

Hon. W. H. Seward,
Secretary of State,
Washington.

SIR,—I have the honor to acknowledge the receipt of your favors, dated the 19th and 21st of November, respectively. I transmit herewith for your information, a copy of a communication received by me from a gentleman in Toronto who gave me the original information in regard to the Propeller *Georgian*, and who is now employed by the city as a detective. His statements are, in my judgment, entitled to credit.

I have sent copies of this communication to Major-General Dix, and also to the Commander of the United States steamer *Michigan*.

I have, &c.,
(Signed,) WM. G. FARGO, Mayor.

J. Hume Burnley to Viscount Monck.

(Copy.) WASHINGTON, January 1, 1865.

MY LORD,—I have the honor to acknowledge the receipt of Your Excellency's despatch of the 7th ultimo, relative to the movements of the *Georgiana*, and to inform you that I transmitted a copy thereof to the Secretary of State of the United States.

I have now the honor to enclose to Your Excellency, a copy of the answer which I have received from the Secretary of State.

I have, &c.,
(Signed,) J. H. BURNLEY.

His Excellency,
The Right Honorable
Viscount Monck.

Mr. Seward to Mr. J. H. Burnley.

(Copy.)

DEPARTMENT OF STATE,
Washington, December 29th, 1861.

SIR,—I have the honor to acknowledge with sincere gratification, the receipt of your note of the 24th, which is accompanied by a copy of despatch of the 17th inst., addressed to you by His Excellency the Governor General of Canada, in which, with reference to the case of the steamer *Georgian*, it is stated that the Canadian Government is fully alive to the importance of preventing the formation of any plans hostile to the United States on British soil, and that it has taken stringent measures to that end, both of a civil and military character.

I beg you to convey to His Excellency, an expression of the high appreciation entertained by this Government of the friendly spirit which he has manifested, and of the judicious measures which he has adopted, with a view to the preservation of the neutrality of Her Majesty's Provinces.

I have, &c.,
(Signed,) W. H. SEWARD.

To J. H. Burnley, Esq.,
&c., &c., &c.

Mr. J. Hume Burnley to Viscount Monck.

(Copy.)

WASHINGTON, February 22, 1865.

MY LORD,—I have the honor to transmit to Your Excellency, a copy of a further note which I have received from the Secretary of State of the United States, relative to the steamer *Georgian* or *Georgiana*.

I have, &c.,
(Signed,) J. HUME BURNLEY.

His Excellency,
Viscount Monck,
&c., &c., &c.

Mr. Seward to Mr. Burnley.

(Copy.)

DEPARTMENT OF STATE,
Washington, February 19th 1865.

SIR,—Referring to the correspondence which has taken place between us, in regard to the suspicious steamer *Georgian* or *Georgiana*, I have the honor to acquaint you, for the information of the proper authorities of Her Majesty's Government, that in a despatch of the 6th inst., addressed to me by D. Thurston, Esq., the Consul of the United States at Toronto, it is stated that the steamer *Georgian* has been transferred to G. T. Denison, a Major in the Militia (Cavalry) of Canada; that he professes to have paid $13,000 for her; but Mr. Thurston states that no such sum has ever been in the Major's possession, and he understands that George Denison, a Canadian by birth, and a Colonel in the insurgent service, who spent some months in Toronto and who avowed that he was there as the agent of the insurgents and for a special object, left that city a few days before it was known that the vessel had passed into George T. Denison's hands; that Dawson had a family connection with Denison, and was very intimately associated with him during his residence in this city.

J. H. Burnley, Esq. (Signed,) W. H. SEWARD.

Mr. J. Hume Burnley to Viscount Monck.

(Copy.)

WASHINGTON, March 16, 1865.

MY LORD,—I communicated to the Secretary of State of the United States, a copy of Your Excellency's despatch of the 28th ultimo, relative to the steamer *Georgian* or *Georgiana* and I have now the honor to transmit a copy of Mr. Seward's reply, requesting me to convey to Your Excellency the satisfaction with which the United States Government view your prompt and friendly action in the matter.

I have, &c.,

(Signed,) J. HUME BURNLEY.

His Excellency
Viscount Monck,
&c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 14, 1865.

SIR,—I have the honor to acknowledge the receipt of your note of the 7th instant, enclosing a copy of a despatch from His Excellency the Governor General of Canada, in regard to the steps taken by the authorities under his control, to guard against the steamer *Georgiana* getting into the hands of parties of the United States.

I will thank you to express to His Excellency, the satisfaction with which this Government view his prompt and friendly action in the matter.

(Signed) W. H. SEWARD.

J. H. Burnley, Esq.

(Copy.)

Lord Monck to Lord Lyons.

His Excellency
The Lord Lyons.

QUEBEC, November 17th, 1864.

MY LORD,—I have the honor to acknowledge the receipt of your despatch of the 12th instant, and enclosures, respecting the steamer *Georgian* or *Georgiana*, alleged to have been bought by Confederate agents for purposes hostile to the Government of the United States.

I have already informed Your Excellency by telegram that this vessel had been closely searched at Sarnia by the Canadian authorities, and that nothing had been found on board to create suspicion or that would warrant her detention.

I have, &c.,

(Signed) MONCK.

Lord Monck to Mr. Burnley.

(Copy.)

QUEBEC, February 28th, 1865.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 23rd inst., and its enclosures, relative to the purchase of the steamer *Georgian* or *Georgiana* by Mr. Denison of Toronto.

I have the honor to state in reply, that I had been already made aware of the change in the ownership of this vessel, and that a close watch has been kept by the Canadian

authorities on any proceedings connected with her, in order to take the proper legal steps should any suspicious facts be disclosed.

I have, &c.,
(Signed,) MONCK.

J. Hume Burnley, Esq.,
&c., &c., &c.,
Washington.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 175. QUEBEC, 14th November, 1864.

SIR,—I have the honor to report for your information that on Monday the 7th inst., I received a telegram dated Auburn, New York, from the Hon. W. Seward, Secretary of State of the United States, stating that the Mayor of Buffalo had informed him that the steamer *Georgiana* "was arming on the Canadian shore for the purpose of encountering the steamer *Michigan* and for piratical or predatory warfare." Mr. Seward further stated that he had communicated by telegraph with Lord Lyons, but for greater certainty begged me to accept the notice.

I received shortly after on the same day a telegram from Lord Lyons to the same effect.

Immediately on the receipt of Mr. Seward's telegram, I sent a telegraphic message to that gentleman requesting to be informed, if possible, of the precise place where the *Georgian* was supposed to be arming.

In answer I received a message from Mr. Seward, stating that he had requested the Mayor of Buffalo to supply me with the required information.

On the morning of Tuesday the 8th instant, a telegram reached me from the Mayor of Buffalo in these words: "At the request of Secretary Seward I have the honor to inform you that the Propeller *Georgiana* cleared from Port Colborne for Sarnia at 6 p. m., Saturday. She was lying off Port Dover at 2 p. m., Sunday. It is reported this afternoon that she is near Long Point—have no information at what point she will arrive."

On the receipt of this message, I caused telegrams to be despatched to the Revenue Collectors of the different Ports mentioned, desiring that in case the *Georgian* put in to any of these ports she should be closely examined and detained if any suspicious circumstances were discovered.

I also caused a circular telegram, of which I enclose a copy, to be despatched to the Revenue Collector at each of the Lake Ports.

On the 11th, instant I received a further telegram from Lord Lyons in these terms: "Major-General Peck telegraphs to Mr. Seward as follows from Buffalo: The *Georgian* is near Port Colborne, twenty miles distant; she was lately purchased at Toronto, C. W., for commercial purposes, and seventeen thousand dollars in gold paid. The price is far beyond the value in the opinion of the best judges, and this in connection with the fact that the business season is at an end, stamps the transaction with suspicion and warrants the belief that she is intended for raiding purposes."

I replied that, "instructions have been sent to all our Lake Ports to watch for suspicious circumstances, and to put the law in force should such appear."

I received on the 12th instant, a telegram from the Collector of Revenue at Sarnia, (for which port the *Georgian* had cleared from Port Colborne) in these words: "Propeller *Georgian* arrived during the night; searched her; found nothing suspicious; will give her clearance when ready to start."

I immediately communicated this information by telegraph to Lord Lyons, and am glad to have been thus enabled to arrive at the conclusion, that the suspicions of the United States as to the character of this vessel were erroneous.

I have, &c.,
(Signed,) MONCK.

The Right Honorable
E. Cardwell, M. P.,
&c., &c., &c.

Enclosure in Lord Monck's Despatch to Mr. Cardwell, No. 175, 14th November, 1864.

CIRCULAR No. 151.
(Copy.)

No. 22.

FINANCE DEPARTMENT: CUSTOMS,
Quebec, 8th November, 1864.

To the Collector of————

"Give particular attention to vessels clearing from your Port. If any circumstances indicate intention to violate the neutrality laws, refuse clearance and detain vessel, immediately reporting to this Department, and to the Attorney General."

(Signed,) R. S. M. BOUCHETTE.

U. S. Consul J. Potter to Lord Monck.

(Copy.)

U. S. CONSULATE GEERAL, B. N. A. P.
Montreal, April 1st, 1865.

His Excellency
Lord Monck, Governor General
British N. A. Provinces.

SIR,—It is my duty to inform Your Excellency that information from various sources has reached me, that the steam propellor *Georgiana*, now lying at Collingwood, and which has been recently transferred to a Mr. G. T. Denison, of Toronto, is being cut down and fitted out, for the purpose of receiving on board an armament, while in Canadian waters, for the purpose of attacking the towns and cities of the United States bordering upon the Lakes. I received information some time since, in relation to this matter, which is now confirmed by further information received this morning. I would respectfully ask the attention of the Canadian Government to this matter. I would also respectfully inform you, that a raid is now in contemplation against the cities of Ogdensburg and Rochester, in the State of New York, from Western Canada. The head quarters of these men are at the village of Arnprior, on the Ottawa River. Col. Ermatinger and Mr. Clark have already taken measures in reference to this, and are satisfied that such a movement is in contemplation.

The recent result of the examination in relation to the felons whose extradition was demanded by the United States Government, for the murder and robbery of citizens of St. Albans, within the State of Vermont, will doubtless invite this class of persons to the renewal of similar outrages upon the lives and property of citizens of the United States, residing in the vicinity of the frontier, and I would respectfully suggest that the utmost vigilance should be exercised to prevent their recurrence.

I have, &c.,
(Signed) JOHN T. POTTER.

Denis Godley to Mr. Consul General Potter.

QUEBEC, April 3rd, 1865.

SIR,—I am directed by the Governor General to acknowledge the receipt of your letter of the 1st inst., relative to the preparation of the *Georgiana* for purposes hostile to the United States, and also referring to a raid said to be contemplated on the cities of Ogdensburg and Rochester, by persons residing in Canada.

I am to inform you that steps have been at once taken to ensure the utmost vigilance on the part of the Canadian authorities at the points you alluded to, with the object of frustrating such designs.

I have, &c.,
(Signed) DENIS GODLEY.

To the U. S. Consul General.

(Copy)

Sir John Michel to Mr. Cardwell.

No. 32.

MONTREAL, 16th Decr., 1865.

SIR,—The case of the steamer *Georgian*, which has been the subject of correspondence between yourself and Lord Monck, has recently again occupied the attention of the Courts of Law in Upper Canada.

As the United States Government has claimed the *Georgian* on the ground that she was the property of the late Government of the so-called Confederate States, I directed that a report should be made by the Law Officers of the Crown, stating the position in which the matter now stands. I have the honor to transmit this Report for your information.

I have, &c.,

(Signed) J. MICHEL.

The Right Honorable
Edward Cardwell,
&c., &c., &c.

Enclosure in Sir J. Michel's despatch to Mr. Cardwell, No. 32, 16 Dec. 1865.

(Copy.)

In the matter of the Propellor Georgian.

1. On the 7th of April last, the Collector of Customs at the Port of Toronto, acting under the provisions of the Provincial Act, 28 Vic., Cap. 1., for the repression of outrages on the frontier, proceeded to Collingwood, and seized the propellor *Georgian*.

2. On the 15th of the same month a warrant was obtained from the Chief Justice of the Court of Common Pleas for Upper Canada, under Sec. 10 of the Act authorizing the detention of the vessel, which, on the same day, was delivered to the Collector of Customs who made the seizure.

3. On 27th June last notice was received from G. T. Denison, Esq., claiming to be the owner of the vessel, of an application which he intended to make to the Judge of the County Court of the County of Simcoe (being the County wherein the seizure was made) under S. 11 of the Act, for the release of the vessel.

4. On the 6th July last a Rule Nisi, issued from the County Court upon reading several affidavits, was served upon the Collector of Customs who made the seizure, calling upon him to show cause why the vessel should not be released and delivered to the applicant; on the next day application was made and, after argument, refused by the County Judge.

5. On 6th September last, during Trinity Term, the application was, with the consent of the Attorney General for Upper Canada, renewed in the Court of Queen's Bench, for Upper Canada at Toronto, and on the 9th of the same month, enlarged at the instance of the Agent for the Attorney General, in order to procure affidavits in opposition to the application on the merits.

6. On 2nd December last, during Michaelmas Term, the necessary affidavits for the Crown having been obtained, Counsel for the Crown, as well as for the alleged owner of the vessel, were prepared and ready to argue the Rule, but owing to pressure of business before the Court, the Rule was, and at the instance of, and upon the request of applicant, by consent, enlarged before a Judge presiding in Chambers, to be argued as may be agreed upon between the parties.

7. In this way the Rule now stands, and the vessel, in the meantime, is still moored to the wharf at Collingwood, in the custody of the seizing officer.

8. Mr. Denison has served upon the seizing officer a notice of his intention to commence an action against him for the seizure and detention of the vessel, but has not as yet issued a writ or taken any other step towards carrying his threat into effect.

9. In conclusion it may be mentioned that the Court of Chancery for Upper Canada has, upon Bill filed by the Government of the United States, claiming the vessel as having been the property of the late Government of the Confederate States of America, issued an

injunction restraining G. T, Denison jr., the alleged owner, from in any manner interfering with the vessel.

(Signed) R. A. HARRISON,
Agent for the Attorney General.

Toronto, December 11, 1865.

IX.—STEAMERS "PINERO" AND "ALMANDARES," AT MONTREAL.

J. H. Burnley to Viscount Monck.

(Copy.)

WASHINGTON, December 15th, 1864.

MY LORD,—I have the honor to transmit to Your Excellency herewith, a copy of a note and of its enclosure, which I have received from the Secretary of State of the United States, relative to two vessels in course of construction at Montreal.

I have the honor to be, my Lord,
Your Excellency's most obedient humble servant,
(Signed,) J. HUME BURNLEY.

His Excellency,
The Viscount Monck,
&c., &c., &c..

Mr. Seward to J. Hume Burnley.

(Copy.)

DEPARTMENT OF STATE,

Washington, 14th Dec., 1864.

SIR,—I have the honor to communicate to you, for the information of the Governor General of Canada, a copy of a despatch of the 9th instant, from D. Thurston, Esq., the Consul General of the United States at Montreal, relative to suspicions entertained that two vessels now in course of construction in Montreal, called respectively the *El Almandares* and the *Pinero*, and another expected from a different quarter, and the name of which is not yet ascertained, are intended to be employed for purposes hostile to the United States.

I have, &c.,
(Signed,) W. H. SEWARD.

J. Burnley, Esq.

D. Thurston to Mr. Seward.

(Copy.)

U. S. CONSULATE GENERAL, B. N. A. P.,
Montreal, Dec. 9th, 1864.

SIR,—I have the honor to inform you that it was rumored in this city, that two vessels were being built here for the use of the rebels. I immediately sent and had them examined, and the following description taken:

The largest vessel, called the *El Almandares*, is a wooden side-wheeled steamer, about 215 feet long by 30 broad, and 630 tons burden, the vessel being plated with iron. It has a round stern, sharp stem, double deck rising very high and almost concealing the walking beam and other machinery which usually appears above deck; the upper deck roof is supported by a beam, elliptical in form; the lower deck being the axis. This beam is of great strength, and adds much to the firmness of the vessel. On each side of the deck, at a distance of about three feet from each other, are a number of fixed pullies. It has two

masts, one smoke stack; the upper part of her hull painted white and the lower, black; is provided with a very powerful engine, and will, no doubt, prove very fast.

The other vessel, called the *Pinero*, is also a wooden side-wheeled steamer, 142 feet long, 27 broad and 9 feet deep, burden 287 tons; with round stern, sharp stem and double deck, the wood work of which nearly conceals her vertical walking beam and machinery. It carries a powerful engine; has two masts, two smoke stacks, only one of which is visible from without, is painted white, and has the lower portion of her hull plated with iron.

The *El Almandares*, it is stated, is to proceed to Havana, under command of Captain de Cabro; the *Pinero* is also bound for Havana.

It is generally believed that the vessels above described have been built for purposes inimical to the interests of the United States, either for blockade runners, or are to be used as the *Alabama* and *Florida*, to prey upon our commerce. One of the police officers of this city has intimated to me that he holds the same opinion, and has informed me that another vessel is expected to join the two already here from the Upper Province, with a description of which I will endeavor to furnish you.

It may be that these vessels are designed for legitimate purposes, but the belief to the contrary is so general, some particulars of their outfit so unusual, and the addition of another vessel to their number from Upper Canada so suspicious, that I have considered it proper to inform you of such facts as I have been able to collect respecting them.

I have, &c.,

(Signed,) D. THURSTON,
U. S. Vice C. G.,
B. N. A. P.

Honorable W. H. Seward,
Secretary of State.

Mr. J. H. Burnley to Viscount Monck.

(Copy.)

Washington, January 7, 1865.

MY LORD,—Upon the receipt of Your Excellency's despatches of the 22nd ultimo, respecting two vessels building in Montreal, alleged to be for the naval service of the so-called Confederate States, I communicated on the subject with the Secretary of State of the United States.

I have now the honor to forward to Your Excellency, copy of a note which I have received from the Secretary of State of the United States, expressing the satisfaction of the United States Government at the investigation which has been ordered in the matter.

I have, &c.,

(Signed,) J. HUME BURNLEY.

The Right Honorable
Viscount Monck,
&c., &c., &c.

Mr. F. W. Seward to Mr. Burnley.

(Copy.)

DEPARTMENT OF STATE,
Washington, 4th January, 1865.

SIR,—I have the honor to acknowledge with much satisfaction, the receipt of your note of the 28th ultimo, transmitting a copy of a despatch addressed to you by the Governor General of Canada, from which it appears that His Excellency will cause an investigation to be made in regard to the supposed employment, for purposes hostile to the United States, of two vessels now in course of construction at Montreal.

I have, &c.,

(Signed,) F. W. SEWARD,
Acting Secretary.

J. H. Burnley, Esq.

Mr. J. Hume Burnley to Lord Monck.

WASHINGTON, February 16, 1865.

MY LORD,—I communicated to the Secretary of State of the United States, copies of Your Excellency's despatch of the 24th ultimo, and of its enclosures, relative to suspicious vessels building at Montreal, and I have now the honor to enclose a copy of the Secretary of State's reply, requesting me to convey to Your Excellency his thanks in the matter.

I have, &c.,

His Excellency.
Viscount Monck.

(Signed.) J. H. BURNLEY.

Mr. Seward to Mr. J. H. Burnley.

(Copy.)

DEPARTMENT OF STATE,
Washington, February 14, 1865.

SIR,—I have the honor to acknowledge the receipt of your note of the 31st ult., and of the accompanying papers from the Governor General of Canada, in relation to the two vessels building at Montreal for the service of the insurgents, and I beg you will convey to him my thanks for his prompt attention in the matter.

I have, &c.,

To J. H. Burnley, Esq.

(Signed) W. H. SEWARD.

Mr. J. H. Burnley to the Governor General of Canada.

(Copy.)

WASHINGTON, March 27, 1865.

MY LORD,—I communicated to the Secretary of State of the United States, copies of Your Excellency's despatch, and of its enclosures, relative to the sale of the *Almandares* and the *Pinero*, and I now have the honor to forward a copy of the Secretary of State's reply requesting me to convey to Your Excellency his thanks for the information in question.

I have, &c.,

His Excellency
The Governor General of Canada.

(Signed) J. H. BURNLEY.

Mr. Seward to Mr. Burnley.

(Copy.)

DEPARTMENT OF STATE,
Washington, 23 March, 1865.

SIR,—I have the honor to acknowledge the receipt of your communication of the 7th instant, acquainting me, at the instance of the Governor General of Canada, with the sale of the vessels *Almandares* and *Pinero*, the former to Spanish subjects of Havanah, and the latter to a gentleman in Montreal, and request that you will be so good as to cause my thanks to be conveyed to the Governor General for the information.

I have, &c.,

J. H. Burnley, Esq.

(Signed) W. H. SEWARD.

Lord Monck to Mr. Burnley.

QUEBEC, December 22nd, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 15th inst. with its enclosures, respecting two vessels now building at Montreal, alleged to be for the naval service of the so-called Confederate States.

In reply, I have the honor to state that I will cause the suspicious circumstances connected with these vessels to be strictly investigated, and will be guided in my actions by the facts which may be elicited.

I may add that there is no fear of any immediate danger from these vessels, as the navigation of the St. Lawrence is now closed for the season, and it is impossible that these vessels can leave Montreal for the next four or five months.

I have, &c.,

(Signed) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. H. Burnley, Esq.,
&c., &c., &c.

QUEBEC, January 24th, 1865.

SIR,—Referring to your despatch of the 15th December, 1864, and enclosures, I have the honor to transmit, for communication to the Secretary of State of the United States, a report of the Attorney General for Canada East, together with other documents relating to ships alluded to in your despatch.

I have, &c.,

(Signed) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. Hume Burnley, Esq.

QUEBEC, February 28th, 1865.

SIR,—Referring to my despatch of the 24th January, I have the honor to transmit to you, copies of a report from the Attorney General, C. E., and of a letter from the Collector of Customs at the Port of Montreal, relative to the vessels *Almandares* and *Pinero*.

I shall feel much obliged if you will communicate this information to the Secretary of State of the United States.

I have, &c.,

(Signed,) MONCK.

(Copy.) *Lord Monck to Sir F. Bruce.*

Sir F. Bruce, G. C. B.,
Washington.

QUEBEC, May 10th, 1865.

SIR,—With reference to my correspondence with Mr. Burnley, respecting the steam vessels *Pinero* and *Almandares* built at Montreal and suspected of being designed for the service of the so-called Confederate States, I have the honor to transmit to Your Excellency, copies of a report and enclosures from the Solicitor General for Lower Canada, from which you will observe that in the absence of any suspicious circumstances in connection with the *Pinero*, the Collector of Customs at Montreal has been authorized to grant that vessel a clearance.

I have, &c.,

(Signed,) MONCK.

(Copy.) *Mr. Cardwell to Viscount Monck:*

No. 109.

DOWNING STREET,
30th June, 1865.

MY LORD,—With reference to Your Lordship's despatch, No. 116, of the 10th of May, respecting the cases of the steamships *Pinero* and *Almandares*, I have the honor to acquaint you that Her Majesty's Government have been advised that there were no circumstances connected with the *Pinero* which would have warranted you in ordering the Collector of Customs at Montreal to refuse a clearance to that vessel; and that, with respect to the other vessel, the *Almandares*, which appears to have long since left Montreal, there seems to be no reason to doubt that she was *bonâ fide* intended for a passenger boat.

I have, &c.,
(Signed,) EDWARD CARDWELL.

Governor
Viscount Monck,
&c., &c., &c.

(Copy.) *Geo. Futvoye to Benj. Holmes.*

No. 4492.

CROWN LAW DEPARTMENT,
Quebec, December 28th, 1864.

SIR,—I am directed by the Honorable the Attorney General for Lower Canada, to request you to make diligent enquiry as to the trade or objects for which two ships now building at Montreal, to be called the *El Almandares* and *Pinero*, are destined, and to report to him, from time to time, any reliable information that you may obtain in relation to them and their destination.

I have, &c.,
(Signed) GEO. FUTVOYE,
Clerk Cr. Law Dept.

B. Holmes, Esq.,
Collector of Customs,
Montreal.

(Copy.) *Mr. Benj. Holmes to Mr. Futvoye.*

CUSTOM HOUSE,
Montreal, 29th December, 1864.

SIR,—In reply to your letter of the the 28th inst., requesting information respecting the steamers *Almandares* and *Pinero*, I beg, for the information of the Honorable the Attorney General for Lower Canada, to state that the former was built on a wharf opposite this city and then taken into the Lachine Canal by Mr. Augustin Cantin during the last summer: That owing to illness of the measuring officer at this Port, Mr. O'Meara, of Quebec, came up here and measured both vessels, and would therefore be competent to give every information as to whether there was anything suspicious in their build, or different from similar passenger steam vessels.

These vessels were both registered at this Port on the 25th November last, in the name of the builder, "A. Cantin." The *Almandares* was built on account of the "General Cuban Steam Navigation Company of Havana," and the *Pinero* for "Idelfonse Vivanco," merchant of same place. The *Almandares*, of 630$\frac{21}{94}$ tons, J. B. Poitras master, cleared from this Port, without cargo, for Havana on the 7th inst., and by the latest accounts had reached Canso, where, I was informed at date of her sailing hence, she would stop for a supply of coal. It was intended to have cleared the *Pinero* 287$\frac{82}{94}$ tons, for the same Port, but owing to the unfinished state of the joiners' work, some difference arose between the parties interested, which created a delay of several days, and the season

suddenly closing, the vessel was compelled to return into the Lachine Canal, to winter. I would beg to observe that Mr. Cantin, in November 1858, built a steam vessel of $437\frac{89}{100}$ tons, called the "Colon," for Don Pedro Sacosta, of Havana, which was transferred to him there, and the register returned to this Port by the British Consul. These vessels were stated to be intended for passenger boats, and the *Almandares* was fitting up, at date of her clearance, with state rooms, &c., in the usual way.

I have, &c.,

(Signed,) BENJ. HOLMES,
Collector.

Geo. Futvoye, Esq.,
Clerk, Crown Law Dept.
Quebec.

(Copy.) *Mr. Futvoye to Mr. O'Meara.*

No. 4586.

CROWN LAW DEPARTMENT,
Quebec, Jan. 17th, 1865.

SIR,—I am directed by the Honorable the Attorney General for Lower Canada to transmit to you the enclosed letter of the Collector of Customs at Montreal, and to request you to return it at your early convenience, with such further information as you may be able to furnish on the subject matter thereof.

I have, &c.,

(Signed,) GEO. FUTVOYE,
Clerk of Crown Law Dept.

J. P. O'Meara, Esq.,
Measuring Surveyor,
H. M. Customs, Quebec.

(Copy.) *Mr. O'Meara to Mr. Futvoye.*

CUSTOM HOUSE,
Quebec, 18th January, 1865.

SIR,—I have the honor to acknowledge the receipt of your letter of the 17th instant, with enclosure from the Collector of Customs, Port of Montreal, with a request I would return it at my early convenience, with such further information as I may be able to furnish on the subject matter thereof. In reply I have the honor to state that I measured the steamers referred to, namely, the *Almandares* and *Pinero* in Montreal, in the month of November last. They were represented to me by Mr. Cantin, the builder, as being intended to carry passengers, and were then being fitted up for that purpose. I saw nothing at the time which could have led me to suspect that they were intended for any other purpose than that represented to me by the builder, and, in fact, I remember remarking to Mr. Cantin, that from the way in which they were being fitted up at the time, with cane beds, &c., they appeared admirably adapted for the purpose for which he represented them to be built, namely, carrying passengers in the Tropics.

I have, &c.

(Signed,) J. P. O'MEARA.

Geo. Futvoye, Esq.,
Clerk Crown Law Department,
Quebec,

(Copy.) *Atty. General Cartier to Lord Monck.*

CROWN LAW DEPARTMENT,
Quebec, January 24th, 1865.

The undersigned has the honor to report to His Excellency the Governor General that, from enquiries made by him, as shown by the annexed correspondence, relative to

the two vessels alluded to by the United States Vice Consul, in his letter of the 9th December last, addressed to the British Minister at Washington, it does not appear that any suspicion of their destination, other than the ostensible one, was excited in the minds of the Customs' officers at Montreal, and that one of the vessels, the *Almandares*, had cleared from the Port of Montreal before the date of the Vice Consul's letter. The undersigned will duly report to His Excellency before the opening of the navigation, any further information that may be obtained relative to the *Pinero*.

(Signed) GEO. ET. CARTIER.

Atty.-Genl., L. C.

Mr. Consul Bunch to Registrar Montreal.

(Copy.)

HAVANA, February 8th, 1865.

SIR,—I have the honor of transmitting to you herewith the British certificate of Registry of steamer *Almandares*, No. 46,257, of your port, sold this day to Spanish subjects for $81,340 currency of Canada.

I remain, &c.,

(Signed,) JOHN BUNCH,
Consul General.

To the Registrar, Montreal,
Canada.

Mr. Holmes to Geo. Futvoye.

(Copy.)

CUSTOM HOUSE,
Montreal, 21st February, 1865.

SIR,—With reference to your letter dated 28th December last, requiring to be informed for the information of the Honorable the Attorney General of any facts thereafter coming to my knowledge touching the vessels *El Almandares* and *Pinero*, I beg to say this morning's mail brought me back the registry of the *Almandares*, with advice of her transfer at Havana.

Enclosed is copy of letter of advice.

I have, &c.,

(Signed,) BENJ. HOLMES,
Collector.

Geo. Futvoye, Esquire,
Clerk of Crown Law Department,
Quebec.

P.S.—The *Pinero* is still laying in the Canal, but has been transferred by bill of sale to Joseph Tiffin, junr., of this city.

(Signed,) B. H.

Atty. Gen. Cartier to Lord Monck.

(Copy.)

CROWN LAW DEPARTMENT,
Quebec, 28th February, 1865.

The undersigned has the honor, in addition to his report of the 24th ult., to transmit to His Excellency the Governor General, copy of a letter with enclosure, received from the Collector of Customs at Montreal, in relation to two vessels, *Almandares* and *Pinero*, the former of which is reported as having been sold to Spanish subjects at Havana, and the

latter still lying in the Lachine Canal, as having been transferred by bill of sale to a gentleman residing in the city of Montreal.

(Signed,) GEO. ET. CARTIER,
Atty. Genl., L. C.

Mr. Benj. Holmes to Mr. Geo. Futvoye.

(Copy.)

CUSTOM HOUSE,
Montreal, 8th May, 1865.

SIR,—For the information of the Honorable the Attorney General, I beg now, with reference to your letter dated 28th December last, and mine of the 29th idem and 21st February, 1865, to inform you, the steamship *Pinero*, which wintered in the Canal, as then reported, is now preparing for sea.

I can discover no cause warranting any delay in the granting of a clearance which, in all probability, will be asked for on Wednesday, and unless otherwise instructed it will be issued.

I am, &c.,
(Signed,) BENJ. HOLMES,
Collector.

George Futvoye, Esq.,
Clerk of Crown Law Department,
Quebec.

(Copy.)

CROWN LAW DEPARTMENT,
Quebec, May 9th, 1865.

With reference to the reports of the Honorable the Attorney General for Lower Canada, of the 24th January and 28th February last, the undersigned has the honor to submit to His Excellency the Governor General the accompanying copy of a letter from the Collector of Customs at Montreal, and to report that that officer has been authorised to issue the clearance, when applied for, unless in the meantime any cause, warranting a delay in granting the same should arise.

(Signed,) HECTOR L. LANGEVIN,
Sol. Genl., L. C.

X.—SCHOONERS "MONTREAL" AND "SARATOGA" ON LAKE ERIE.

Lord Lyons to Viscount Monck.

WASHINGTON, March 13, 1864.

MY LORD,—I have the honor to transmit, for Your Excellency's consideration, copies of a note from the Secretary of State for the United States, and its enclosures, relative to two schooners, the one named the *Montreal*, and the other the *Saratoga*, now lying in Canadian waters, under circumstances which appear to the United States authorities to be suspicious.

I have, &c.,
(Signed) LYONS.

His Excellency,
Viscount Monck,
&c., &c., &c.

Mr. Seward to Lord Lyons.

(Copy.)

DEPARTMENT OF STATE,
Washington, March 11, 1864.

MY LORD,—I have the honor to invite your attention to the enclosed copy of a letter of the 8th inst., from the Secretary of War, and of the report of Col. L. C. Baker, Provost Marshal of the War Department, which accompanied it, in regard to piratical designs of insurgents against the United States, who have sought refuge in Her Majesty's Provinces.

I have the honor to request that Your Lordship will bring the subject under the consideration of His Excellency the Governor General, with a view to such proceedings as an enquiry into the matter may render expedient.

I have, &c.,
(Signed) WILLIAM H. SEWARD.

The Lord Lyons.

Mr. Stanton to Mr. Seward.

(Copy.)

WAR DEPARTMENT,
Washington City, March 8, 1864.

SIR,—I have the honor of enclosing to you a copy of a report made to this Department by Provost Marshal Baker, for your information and such action as you may deem proper.

Your obedient Servant,
(Signed) EDWIN M. STANTON.

Honble. W. H. Seward,
Secretary of State.

Col. L. C. Baker to E. M. Stanton.

(Copy.)

WASHINGTON, D. C., March 8th, 1864.

SIR,—Herewith I have the honor to forward a statement furnished by one of my agents, who has been in Upper Canada for some two months. The statement can be relied upon as being true in every particular. There is now lying in Rondeau Harbor, about 17 miles from Chatham, C. W., a fore and aft schooner, named the *Montreal*, commanded by one Captain Whitby, formerly a Lieutenant in the Confederate Navy. She has on board two 24 pounders, a quantity of ammunition, arms, chests, cutlasses, boarding pikes, &c.; she also has a crew of fourteen men, nearly all escaped Rebel prisoners.

There is also lying in New Creek, Long Point Marsh, and about 15 miles from Port Stanley, C. W., a schooner named the *Saratoga*; she has four eighteen pounders on board and is manned with a crew of 16 men.

Both of these vessels referred to, are not dismantled, as is usual during the winter months in that climate, but are kept in sailing condition at the shortest notice.

My informant has mingled and talked freely with the crews of these vessels, and they do not hesitate to avow their piratical intentions as soon as navigation is resumed in the Spring.

I am, &c.,
(Signed) L. C. BAKER,
Col., and Agent War Dept

Hon. E. M. Stanton,
Secretary of War.

(Copy.) *Lord Lyons to Viscount Monck.*

WASHINGTON, March 30th, 1864.

MY LORD,—With reference to my despatch to Your Excellency of the 13th instant, and to Your Excellency's reply thereto of the 18th instant, on the subject of two schooners alleged to be lying in Canadian waters under circumstances which appeared suspicious to the United States Government, I have the honor herewith to enclose to Your Excellency, the copy of a note which has been addressed to me by the Secretary of State of the United States, in reply to a communication which I made to him, stating that Your Excellency had informed me that you would cause enquiries to be made respecting the schooners in question, and would take measures to prevent any violation of the neutrality of Her Majesty's Dominions should such appear to be meditated.

I have, &c.,

(Signed,) LYONS.

His Excellency,
Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, 29th March, 1864.

MY LORD,—I have the honor to acknowledge the receipt of your note of the 24th instant, in which Your Lordship informs me that, in answer to a communication which you addressed to the Governor General of Canada at the instance of this Department, respecting two suspicious schooners in Canadian waters, His Excellency has informed you that he will take immediate steps to ascertain the accuracy of the report in regard to the schooners, and to prevent any violation of the neutrality of Her Majesty's Dominions should it prove it to be well founded.

I beg your Lordship to accept the thanks of this Department for your ready intervention in this matter, and to convey to His Excellency the Governor General the grateful acknowledgements of this Government for his prompt attention to its representation.

I have, &c.,

The Lord Lyons. (Signed,) W. H. SEWARD.

(Copy.) *Lord Lyons to Viscount Monck.*

WASHINGTON, April 22nd, 1864.

MY LORD,—I had the honor to receive Your Excellency's despatch of the 31st ultimo, in which you transmitted to me a copy of a report made to Your Excellency by Colonel Wily, relative to two vessels which were alleged to be fitting out in Canadian waters for purposes hostile to the United States.

I communicated a copy of that despatch and a summary of its enclosure to the United States Secretary of State; and I have the honor herewith to transmit to Your Excellency the copy of a note which I have received from the Secretary of State in answer to that communication.

I have, &c.,

(Signed, LYONS.

His Excellency
Viscount Monck,
&c. &c., &c.

Mr. Seward to Lord Lyons.

(Copy.)

DEPARTMENT OF STATE,
Washington, 20th April, 1864.

MY LORD,—I have the honor to acknowledge, with much satisfaction, the receipt of your note of the 14th instant, accompanied by a copy of a despatch of the 31st ultimo, and of its inclosures, addressed to you by the Governor General of Canada, reporting the result of the investigation as to the truth of the information given to this Government, that two schooners were lying under suspicious circumstances in Canadian waters.

I must beg Your Lordship to convey to His Excellency the Governor General the thanks of this Government for the friendly alacrity with which he has investigated the matter.

I have, &c.,
(Signed,) W. H. SEWARD.

The Lord Lyons.

Lord Monck to Lord Lyons.

(Copy.)

QUEBEC, March 18th, 1864.

MY LORD,—I have the honor to acknowledge the receipt of Your Excellency's despatch of March 13th, and its enclosures, relative to the schooners *Montreal* and *Saratoga*, alleged to be now lying in Canadian waters under circumstances which appear to the United States authorities to be suspicious.

I will take immediate measures to ascertain the accuracy of this information, and to prevent any violation of the neutrality of Her Majesty's Canadian dominions, should it prove well founded.

I have, &c.,
(Signed,) MONCK.

His Excellency the Lord Lyons,
Washington.

Lord Monck to Lord Lyons.

(Copy.)

QUEBEC, March 31, 1864.

MY LORD,—Immediately on the receipt of Your Excellency's despatch of March 13th, I sent a confidential agent of the Canadian Government to investigate the truth of the information communicated to the Provost Marshal of the War Department of the United States, relative to two vessels on Lake Erie, alleged to be fitted out for the purpose of piratical aggression on the Lake trade of the United States.

I have now the honor to enclose, for Your Excellency's information, the report of that gentleman, from which you will observe, that after the closest scrutiny he was unable to find any evidence to substantiate the allegations referred to.

Lt. Col. Wily, March 30th, 1864.

I have, &c.,
(Signed,) MONCK.

His Excellency the Lord Lyons.

(Copy.)

Lord Monck to the Duke of Newcastle.

No. 42.

QUEBEC, March 31st, 1864.

MY LORD DUKE.—In my despatch (No. 35,) of March 19th, I sent to Your Grace copies of a despatch and enclosures from Lord Lyons, relative to two vessels which were

alleged to have been fitted out on Lake Erie, for the purpose of piratical aggression on the Lake trade of the United States.

I also stated that I had, on receipt of Lord Lyons' communication, sent a confidential agent to investigate the truth of the information contained in it.

I have now the honor to send, for Your Grace's information, a copy of the report of that gentleman, from which you will perceive that the statements made to the Provost Marshal of the War Department of the United States were not founded on fact.

Notwithstanding this satisfactory result of the present enquiry, I still adhere to the opinion expressed in my last letter on this subject, that it would be most advisable to have some vessels bearing Her Majesty's flag on the Lakes.

Your Grace is aware that there is at present no Royal naval force in those waters, and this circumstance holds out the inducement of probable impunity to those who might be inclined to make an attempt, such as that indicated by the information contained in Lord Lyons' letter.

The existence of rumors of this nature, (however untrue they may prove to be when investigated,) produces a feeling of uneasiness on the part of those interested in the trade carried on by citizens of the United States on the Lakes, which might very easily be exaggerated into a sentiment of hostility towards Canadians, from whose harbors they imagine an attack on their commerce might issue.

It appears to me that reports such as that which has formed the subject of this correspondence, as well as the evil consequences incident to the existence of such reports, would be completely checked by the moral effect which would be produced, if a vessel, *however small*, bearing Her Majesty's flag, were known to be stationed on each lake for the purpose of preventing any piratical attempts.

In my last despatch, I asked Your Grace to obtain the sanction of Her Majesty's Government for the employment on this service of the full complement of vessels allowed by treaty stipulation for the different Lakes, but as what is really required is not a large force but the knowledge that some force is available for the desired purpose, I think one vessel on each Lake would be quite sufficient.

I trust you will not think I am pressing this request unduly, but I cannot conceal from myself the disastrous consequences which might result from any attempt at piratical aggression issuing from Canadian ports on the Lakes, and recent occurrences have shewn that such events are at least not impossible, and ought, in my opinion, to be provided for.

I have, &c.,

(Signed,) MONCK.

His Grace the Duke of Newcastle.

Mr. Cardwell to Lord Monck.

(Copy.)
No. 8.

DOWNING STREET,
23rd April, 1864.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's despatches, Nos. 35 and 42, of the 19th and 31st of March, relative to two schooners which had been alleged by the United States Government to be equipped on the British shore of Lake Erie, for the purpose of making aggressions on the commerce of the United States upon the Lakes.

I am very glad to learn that this report proves to have been entirely erroneous.

On the important and more general question, to which Your Lordship draws attention, of placing a small naval vessel on each of the Lakes, kept within the limits prescribed by the convention with the United States, I shall have the honor to address you at a future opportunity.

I have, &c.,

(Signed) EDWARD CARDWELL.

Governor,
The Viscount Monck,
&c., &c., &c.

XI.—Mr. McNab's Statement.

(Copy.) *Mr. J. Hume Burnley to Viscount Monck.*

Washington, March 22nd, 1865.

My Lord,—I have the honor to transmit to Your Excellency, a copy of a note which I have received from Mr. Seward, and a copy of its enclosure, which contains information given by Mr. D. Campbell McNab, of Richmond, Canada West, relative to the alleged projected raids from Canada into the United States.

I have, &c,

(Signed) J. Hume Burnley.

His Excellency
The Viscount Monck.

(Copy.) *Mr. Seward to Mr. Burnley.*

Department of State,
Washington, 20th March, 1865.

Sir,—I have the honor to enclose for the information of the proper authorities of Her Majesty's Government, extracts from a communication of the 12th instant, addressed to the Secretary of War by Mr. D. Campbell McNab, of Richmond, Canada West, in regard to alleged projected raids from Canada into the United States.

I have, &c.,

(Signed) W. H Seward.

J. Hume Burnley, Esq.

Mr. D. Campbell McNab to the Secretary of War, Washington.

(Copy.) Richmond, Co. Carleton, C. W.,
12th March, 1865.

Sir,—I have the honor to inform you that a plot is being about entered into by a number of Rebel refugees, which has for its object pillage and destruction. It is contemplated by these unprincipled parties to make an attack on some of the most wealthy frontier towns, plunder, and then burn them.

The principal rendezvous of the Rebels is Arnprior, which is situated about 45 or 50 miles inland from Brockville, with which it is connected by railroad. Being distant from the front, they imagine that their operations would be free from observation. The head of this organization is the Revd. O. S. Hackett, a refugee from Arkansas, who has been residing at Arnprior for the last five months.

I have ever felt a deep sympathy with the Northern States in their noble efforts to stop and put down this unnatural rebellion, and, eventually, to liberate the slaves, therefore I give this information to your Government. I will communicate the whole details of the plot, and when they are going to make the attack, to any officer of your Government. I will meet him at Morristown any Saturday you may appoint, as my duties prevent me leaving home any other days, and all I ask is that my expenses be paid to Morristown, and

when I shall have given the proper details, with the names of parties, I shall request the Government to procure for me the degree of M. A. (Master of Arts) from Yale College, as it is the most renowned University on this side of the Atlantic.

The attack will not be made before the 1st of April, as they are busy mustering volunteers; but it is not safe for me to commit anything to paper and send it by post, as there are spies everywhere.

For magnitude, numbers and munitions of war, the conspiracy and plot is more to be dreaded than any that has yet been organized in Canada. I will meet any Officer of your Government either at Morristown, on the St. Lawrence, or in Brockville, any Saturday that you may apppoint. Give me some token in reply to this that I may know him, and I will afford your Government satisfactory proofs of the conspiracy, so that it may be foiled.

You will please enclose my travelling expenses to Morrisburg and back, as an evidence of good faith.

(Signed,) D. CAMPBELL McNAB, B. A.,
Principal Classical Academy, and
Head Master Grammar School,
Richmond, C. W.

P. S.—I enjoin the strictest privacy and silence till I put the whole into your hands. I have, as an evidence of my good faith, to say that one of my beloved nephews, Captain Jas. A. Lothiam, Co. C., 26th Regiment Michigan Volunteers, was mortally wounded at Petersburgh, and died at Washington, in the service of the United States, and ever since that event, I have looked upon the Southern cause with abhorrence. Being a member of a secret Society, of which I am one of the County Heads (or Chiefs), I have come to a full knowledge of this projected attack and raid.

(Signed,) D. C. M.

N. B.—As evidence of my respectability, I enclose envelopes of letters received by me at different times from the Honble. John A. Macdonald, Attorney General of Upper Canada, and the Honble. W. McDougall, Provincial Secretary.

(Signed,) D. C. M.

N. B., No. 2.—I formerly lived at Arnprior, and received my appointment here in January last. I have weekly communication with Arnprior. The enclosures I will bring with me.

J. Hume Burnley to Viscount Monck.

(Copy.)

Washington, April 8th, 1865.

MY LORD,—With reference to Your Excellency's despatch of March 28th, I have the honor to enclose copy of a note which I have received from the Secretary of State of the United States, expressive of the thanks of the United States Government.

I have, &c.,
(Signed,) J. HUME BURNLEY.

His Excellency,
The Viscount Monck,
&c., &c., &c.

Mr. Seward to Mr. Burnley.

(Copy.)

WASHINGTON, April 5th, 1865.

SIR,—I have the honor to acknowledge the receipt of your note of the 3rd instant, and of its accompaniments, relative to the information received from Mr. D. C. McNab, respecting the raids intended to be made from Canada into the United States. I will thank you to convey to the Governor General of Canada an expression of my appreciation of his proceedings.

I have, &c.,
(Signed) WM. H. SEWARD.

J. Hume Burnley, Esq.,
&c., &c., &c.

Lord Monck to Mr. Burnley.

(Copy.)

QUEBEC, March 28th, 1865.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 22nd inst. and its enclosures, containing information given by Mr. D. Campbell McNab, of Richmond, Canada West, relative to alleged projected raids from Canada into the United States.

In reply, I have the honor to state that the information contained in Mr. McNab's letters had already been communicated to the Canadian Government, and that a special agent has been sent to Arnprior to investigate the truth of his statements.

I have not yet received his report, but I shall not fail to communicate it to you, should any grounds appear to exist for attaching credit to Mr. McNab's allegations.

I have, &c.,

(Signed,) MONCK.

(Copy.) *Lord Monck to Mr. Burnley*

J. Hume Burnley, Esq.,
&c., &c., &c.

QUEBEC, April 11th, 1865.

SIR,—In my despatch of the 28th March, I informed you that I had taken measures for investigating the truth of the statements made by Mr. McNab, respecting the organization at Arnprior, in Canada West, of persons alleged to contemplate hostile incursions into the United States.

The reports by the Officers instructed to make enquiries on the subject, lead me to believe that there was no foundation for Mr. McNab's statements, and that no such designs as he mentioned had any existence.

I have the honor to transmit to you copies of these reports.

I have, &c.,

(Signed) MONCK.

(Copy.) *Sir Frederick W. A. Bruce to Viscount Monck.*

WASHINGTON, April 27th, 1865.

MY LORD,—Mr. Burnley communicated to the State Department copies of Your Excellency's despatch of the 11th inst., and of its enclosure, relative to the statements of Mr. D. McNab, and I have now the honor to enclose a copy of the Acting Secretary of State's reply.

I have, &c.,

(Signed) FREDERICK W. A. BRUCE

His Excellency
Viscount Monck,
&c., &c., &c.

Mr. W. Hunter to Sir F. Bruce.

(Copy.)

STATE DEPARTMENT,
Washington, 24th April, 1865.

SIR,—I have the honor to acknowledge the receipt of Mr. Burnley's note, together with its accompaniments, from the Governor General of Canada, in regard to the allega-

tions of Mr. D. C. McNab, concerning an organization existing in Canada, having for its object the destruction of adjacent towns in the United States. I beg you will cause to be conveyed to Lord Monck my thanks for the information.

I have, &c.,

(Signed) W. HUNTER.

Sir F. Bruce.

XII.—DR. BLACKBURN.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 128. QUEBEC, 2nd June, 1865.

SIR,—I have the honor to enclose for your information, a copy of a report of the Solicitor General of Canada West, in the case of Dr. Blackburn, who is charged with having conspired with others to transmit infected clothing into the United States. I also send copies of the depositions on which the warrant for Doctor Blackburn's arrest was issued, together with a copy of the Toronto *Globe*, which contains an account of the proceedings before the Magistrate when the prisoner was brought up for examination.

I have, &c.,

(Signed,) MONCK.

The Right Honorable
Edward Cardwell,
&c., &c., &c.

(Copy.) *Mr. Cardwell to Viscount Monck.*

No. 119. DOWNING STREET, 22nd July, 1865.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's Despatch No. 128, of the 2nd ultimo, transmitting among other documents, a copy of the Report of the Solicitor General of Canada West, in the case of Dr. Blackburn, who is charged with having conspired with others to send infected clothing into the United States; and I have to inform you that Her Majesty's Government are advised that Dr. Blackburn is triable in Canada for conspiracy to commit murder in the United States, though it is not apparent how he can be indicted upon the same facts for that which is termed a breach of the "Neutrality Laws."

I have, &c.,

(Signed) EDWARD CARDWELL.

Governor Viscount Monck,
&c., &c., &c.

(Copy.) OFFICE OF ATTORNEY GENERAL FOR UPPER CANADA,

Quebec, June 1st, 1865.

D. Godley, Esq.,
Secretary.

SIR,—I have the honor to report for the information of His Excellency the Governor General, the following facts relating to the arrest of Dr. Blackburn and his commitment for trial.

An information was laid before the Police Magistrate for Toronto by Detective McGavry, charging Dr. Blackburn with a conspiracy; a copy of the information is already in your hands; upon this, a warrant was issued to Lower Canada and after some days search, Blackburn was arrested in Montreal and conveyed to Toronto, where the conspiracy is alleged to have taken place. On the 24th May ultimo, the case came before the Police Magistrate for examination.

The witnesses were Godfrey J. Hyams and the Rev. Dr. Robinson; their evidence was delivered orally in Court and is not in the shape of written depositions, but it is to be found fully reported in the Toronto *Globe* of the 24th May. At the close of the examination of the last named witness, the Counsel for the defence proposed to admit, for the sake of argument, the facts of the case as sworn to by the witness Hyams, and rested his case on legal objections, consequently no other witnesses were called on behalf of the Crown. I may here remark that there can be little doubt of the facts. Hyams' statement was clear and circumstantial and is strongly corroborated by the evidence taken at Bermuda on a similar charge against one Swan, as published by the Halifax press. Hyams would have been further corroborated by Cleary and others had it been requisite; you have in your possession, copies of depositions made by Cleary and others which were not used on this occasion, nor were the parties called for the reason given. The legal objection taken by the defendant's Counsel was that the evidence only disclosed a conspiracy to commit a crime abroad and beyond the jurisdiction of our Courts, and was consequently not triable here. This objection was answered by the Counsel for the Crown. On the 25th May, the Police Magistrate gave judgment by committing the prisoner for trial; on the application of his Counsel he was then admitted to bail, himself in $4000, and two sureties in $2000 each. The case will be tried at the next autumn assizes, which will probably take place in October.

With regard to the legal question which will have to be disposed of by the Court, my opinion is that it will be decided in favor of the Crown, in other words, that the conspiracy is properly triable here. I may add further that I think the prisoner can at the same time be indicted on the same facts for a breach of the neutrality laws.

I have, &c.,

(Signed,) JAMES COCKBURN, S. G., U. C.

Quebec, June 1st, 1865.

(Copy.)

Sir J. Michel to Mr. Cardwell.

No. 10.

MONTREAL, October 27, 1865.

SIR,—With reference to Lord Monck's despatch No. 128, of June 2nd, reporting the arrest of Dr. Blackburn, who was charged with having conspired with others to transmit infected clothing into the United States, I have the honor to inform you that the Law Officers of the Crown in Canada have consented that the said Dr. Blackburn be admitted to bail on his own recogizance to appear whenever called upon, and he has been discharged accordingly.

This course has been taken in the case because the evidence available was by no means sufficient to enable the Crown to prosecute Blackburn with any chance of success, and there was no prospect of obtaining any further evidence.

I have, &c.,

(Signed) J. MICHEL.

The Right Honorable,
Edward Cardwell,
&c., &c., &c.

XIII.—PETER ANDERSON, A PRISONER OF WAR ON JOHNSON'S ISLAND.

(Copy.)

Lord Lyons to Viscount Monck.

WASHINGTON, November 9th, 1863.

MY LORD,—I have had the honor to receive Your Excellency's despatch of the 3rd inst., relative to the case of Peter Anderson, a prisoner of war at Johnson's Island, in

Ohio, who is stated to be a British subject and to have been draughted against his will into the army of the so-called Confederate States. I have laid your despatch and its enclosure before the Government of the United States, and recommended the case of Anderson to indulgent consideration.

I have &c.,

(Signed) LYONS.

His Excellency
The Viscount Monck,
&c., &c., &c.

(Copy) *Lord Lyons to Viscount Monck.*

WASHINGTON, December 2, 1863.

MY LORD,—With reference to Your Excellency's despatch of the 3rd ultimo, and to my answer of the 9th ultimo, I regret to say that my endeavors to obtain the release of Peter Anderson have proved unsuccessful.

I have the honor to transmit to you a copy of a note containing the final answer of the Secretary of State of the United States to my application.

I have, &c.,

(Signed) LYONS.

His Excellency
Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, November 30, 1863.

MY LORD,—Further consideration of the case of Peter Anderson, presented in your note of the 9th instant, and of the views of the War Department on the subject, have led to the conclusion that as a release of prisoners belonging to the class in which Anderson is included cannot be claimed as a matter of right, the very numerous cases of a similar character which are constantly occurring make it inexpedient as a matter of comity to grant that release at present.

I have, &c.,

(Signed) W. H. SEWARD.

Lord Lyons,
&c., &c.

XIV.—EXPORTATION OF COAL.

(Copy.) *Lord Monck to the Duke of Newcastle.*

No 37.

QUEBEC, March 28th, 1864.

MY LORD DUKE,—I have the honor to transmit for Your Grace's information, a copy of a letter which I caused Mr. Holton, Finance Minister of this Province, to write to me on the subject of the restrictions imposed by the Government of the United States on the exportation of live stock and anthracite coal.

I transmitted this letter in a private form to Lord Lyons, with a request that he would use the information in any manner that he might deem right, with a view to obtain some relaxation of the United States Treasury orders in favor of Canada.

I send also copy of a despatch and enclosures which I have received from Lord Lyons, containing the answer of Mr. Seward to His Excellency's request, from which Your Grace will observe that the Government of the United States declines to make any exception in favor of Canada.

I have, &c.,

(Signed,) MONCK.

His Grace
The Duke of Newcastle,
&c., &c., &c.

Lord Monck to Mr. Cardwell.

(Copy.)
No. 70.

GOVERNMENT HOUSE,
Quebec, May 6th, 1864.

SIR,—Referring to my despatch to the Duke of Newcastle, of March 28th, I have the honor to transmit for your information, a copy of a further despatch from Lord Lyons on the subject of the prohibition by the Government of the United States of the exportation of anthracite coal, together with a memorial on the subject from certain manufacturers at Three Rivers.

I also enclose a copy of an approved minute of the Executive Council of this Province, in which you will observe that it is proposed, in case the Government of the United States should agree to permit the exportation of coal from the United States to Canada, that an order in Council of this Colony should be issued, prohibiting the exportation of coal from this Province, so as to prevent any injury resulting to the United States from the relaxation of their order in our favor.

The manufacturers of this Province will be put to considerable inconvenience if they are not permitted to import anthracite coal from the United States, and would have great difficulty in obtaining a supply from other sources.

It does not appear to me that the course which it is proposed to pursue, could be construed into any departure from the principles of neutrality between the contending parties in the United States, and practically the order will be inoperative, as there is no export trade in coal from Canada.

At the same time, I do not feel that I should be warranted in bringing the proposition contained in this minute under the notice of the Government of the United States, without having previously obtained your sanction.

I have communicated this minute to Lord Lyons, but have requested him to abstain from making any application to the Government at Washington, until he should have heard further from me.

Under these circumstances I shall be glad if you will favor me with your intentions on the subject.

I have, &c.,

(Signed) MONCK.

The Rt. Hon. E. Cardwell, M.P.
&c., &c., &c.

(Copy.)

Lord Monck to Mr. Cardwell.

No. 117.

QUEBEC, August 22nd, 1864.

SIR,—On the 6th of May I had the honor to transmit to you papers and correspondence concerning the prohibition by the United States Government of the exportation of anthracite coal, and I requested your sanction to the course proposed to be taken in the matter by the Provincial Government with the object of obtaining a relaxation of the order in favor of Canada.

I now beg leave to enclose the remainder of the correspondence that passed between myself and Lord Lyons on the subject.

I am happy to inform you that the proposition which, with your approval, I made to the United States Government has been accepted by it, and that, in consequence, the President has withdrawn his prohibition to export anthracite coal from the United States into Canada.

I have, &c.,

(Signed) MONCK.

The Right Honble.
E. Cardwell,
&c., &c., &c.

ENCLOSURES.

1. Lord Monck to Lord Lyons, 3rd May, 1864
2. Telegram 25th June, to Lord Lyons.
3. Lord Lyons to Lord Monck, 11th July, 1864.
4. Lord Lyons to Lord Monck, 30th July, 1864.
5. Lord Monck to Lord Lyons, 8th Aug., 1864.
6. Lord Monck to Lord Lyons, Aug.——.

(Copy.)

Mr. Cardwell to Viscount Monck.

No. 26

DOWNING STREET,
10th June, 1864.

MY LORD,—With reference to the minute of your Executive Council enclosed in Your Lordship's despatch, No. 70, of the 6th of May, I have the honor to inform you that there will be no objection to your apprizing Lord Lyons, that in case the Government of the United States will agree to permit the exportation of Anthracite Coal from that country to Canada, the Canadian Government will undertake to issue an order of Council in the Province, prohibiting the exportation of coal from thence so as to prevent the occurrence of any injury to the United States from the relaxation of their order in favour of Canada.

I have, &c.,

(Signed,) EDWARD CARDWELL.

The Viscount Monck,
&c., &c., &c.

Copy.)

Mr. Cardwell to Viscount Monck.

No. 66.

DOWNING STREET,
1st September, 1864.

SIR,—With reference to my despatch No. 26, of the 10th ultimo, on the subject of the exportation of Anthracite Coal from the United States to Canada, I am glad to learn from a report from Lord Lyons, of which the substance appears to have been already communicated to Your Lordship, that the Government of the United States have adopted a measure which appears to be in accordance with a suggestion offered by the Canadian Government, and which will probably meet their wishes.

I have, &c.,

(Signed) EDWARD CARDWELL.

The Viscount Monck,
&c., &c., &c.

QUEBEC, August 6th, 1864.

Province of Canada. } MONCK.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

To all to whom these presents shall come, or whom the same may concern—Greeting:

JOHN A. MACDONALD, Atty.-Gen. } WHEREAS it is, in and by an Act of the Parliament of Our said Province of Canada, made and passed in the Twenty-seventh year of Our Reign, intituled: "An Act to amend the Act respecting Duties of Customs and the Collection thereof," amongst other things in effect enacted, that Our Governor in Council may, by proclamation or Order in Council, at any time, and from time to time, prohibit the Exportation or the carrying Coastwise, or by Inland Navigation, of the following goods:—Arms, Ammunition, Gunpowder, Military and Naval Stores, and any articles which Our Governor in Council shall judge capable of being converted into or made useful in increasing the quantity of Military or Naval stores. And Whereas Our Governor in Council has judged that Anthracite Coal may be converted into or made useful in increasing the quantity of Military or Naval Stores, and has deemed it expedient that the exportation thereof from our Province of Canada be prohibited; Now Therefore Know Ye that We do, by and with the advice of Our Executive Council and by this Our Royal Proclamation, *prohibit the exportation from Our Province of Canada of Anthracite Coal* in any manner or way whatsoever, of all which Our loving Subjects are to take notice and govern themselves accordingly.

In Testimony Whereof We have caused these Our Letters to be made Patent, and the Great Seal of Our said Province of Canada to be hereunto affixed: Witness, Our Right Trusty and Well-Beloved Cousin the Right Honorable Charles Stanley Viscount Monck, Baron Monck of Ballytrammon, in the County of Wexford, Governor General of British North America, and Captain General and Governor in Chief in and over our Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c., &c., &c. At Our Government House, in Our City of Quebec, in Our said Province of Canada, this Sixth day of August, in the year of Our Lord, one thousand eight hundred and sixty-four, and in the Twenty-eighth year of Our Reign.

By Command,

WILLIAM MCDOUGALL, Secretary.

XV.—THE ST. ALBANS AFFAIR.

(Copy.)

Lord Monck to Mr. Cardwell.

No. 162.

QUEBEC, October 27th, 1864.

SIR,—I have the honor to report that on the morning of Thursday the 20th instant I received a telegram, dated the previous day, from Mr. Gregory Smith, Governor of the State of Vermont, of which I enclose a copy, marked A, informing me that a party of armed men from the Province of Canada had invaded the State, robbed the Banks at St. Albans, and committed other depredations. As no mention of this outrage appeared in any of the morning papers of the 20th, I was at first inclined to doubt the authenticity of the telegram, and therefore addressed to the Governer of Vermont the telegram, copy (B) enclosed.

I, at the same time, caused a telegram to be addressed to Mr. Coursol, Police Magistrate at Montreal, desiring him to proceed immediately to the frontier with a force of Police, and to assist in the arrest of the perpetrators of this outrage, if they should make their appearance on Canadian soil.

I also telegraphed to the Lieutenant General commanding, requesting him to give directions to the military quartered at St. Johns to hold themselves in readiness to co-operate with Mr. Coursol and the Police, should any necessity for their services arise, which

request was at once complied with by Sir W. F. Williams. Shortly after I had taken these steps, a telegram was received from Mr. Coursol by the Attorney General, informing him that he had been applied to for assistance in the detection and arrest of the perpetrators of the outrage, by some of the inhabitants of St. Albans, and that he had sent with them a force of Police for that purpose, and very shortly after a telegram arrived from the same officer, announcing that several of the persons engaged in the attack on St. Albans, had been arrested, and a large amount of the money stolen from the Banks had been recovered.

On receiving this information, I sent to the Governor of Vermont the telegram (copy enclosed, marked C.)

The steps adopted by the Police authorities were successful, and thirteen of the parties concerned in the attack on St. Albans have been arrested, and are now in custody in Canada; a large amount of the money stolen from the Banks has also been recovered. I received on the 21st, from the Governor of Vermont, the telegram (copy enclosed, marked D.)

Preliminary investigation, preparatory to a formal demand for the extradition of the prisoners, is being held at St. Johns, where the captured men are in confinement, and I have been notified by telegraph from Her Majesty's representative at Washington, that an application for the delivery of these men to the authorities of the United States is now on its way from thence. I am happy to be able to say that there is no reason to believe that any British subject has been in any way a participator in the affair. I enclose extracts from several newspapers which I think give a fair account of the transaction. I also enclose a letter copied from the *Evening Telegraph*, of Montreal, and addressed to the editor of that paper, by a Mr. Bennett H. Young, one of the persons in custody, from which you will observe that he asserts that the enterprise was engaged in with the consent and under the authority of the President of the so-called Confederate States of America, and that the perpetrators are commanding officers of those States.

As far as I have been able to learn, no sympathy with the persons engaged in this outrage has been expressed in Canada, and the Press throughout the Province unanimously denounces the attack upon a peaceful and unarmed community. I have deferred, until today, making my official report of this transaction, in the hope that I might thereby be enabled to give it more in detail, and with greater accuracy. I shall not fail to keep you informed of the results of the investigation which is now being held at St. Johns, before Mr. Coursol, and I hope the steps which I felt it my duty to take in the matter will meet your approval.

I have, &c.,

The Rt. Hon. Edward Cardwell. (Signed) MONCK.

(A.)

To the Governor General.

A party of raiders from the Province of Canada have invaded this State, have robbed all the Banks in St. Albans, killed several citizens and are plundering and destroying property.

(Signed,) J. GREGORY SMITH,
Governor of Vermont.

Received in Quebec, Oct., 19th.
By Governor General, Oct. 20th.

(B)

To the Governor of Vermont, U. S., Montpelier.

I have this morning received a telegram purporting to be signed by you, in these terms: "A party of raiders from the Province of Canada have invaded this State, have robbed all the Banks at St. Albans, killed several citizens, and are plundering and des

troying property." Is this genuine? I have given directions that measures shall be at once adopted for the arrest of the offenders, if they should return to Canada. You may rely on cordial co-operation and assistance from this Government. Answer immediately.

Quebec, Oct. 20th, 1864. (Signed) MONCK.

(C.)

To the Governor of Vermont, Montpelier.

Since my last telegram I have received official reports from my own officers, confirming the statement in your message of yesterday. Measures have been adopted to give your officers every assistance in the detection and arrest of the raiders, if they should appear in Canada. I have just learned by telegraph that six of the robbers, with a large amount of money have been arrested this morning at St. Anne's Bridge.

Quebec, Oct. 20th, 1864.

(Signed) MONCK.

From the Governor of Vermont; received Oct. 21st, from Montpelier.

Have just received advices, informing me that strong efforts are being made by the parties arrested in your Province, to hasten their trial before a Magistrate, before time can be given to prepare the proper and necessary evidence. It is reported that the trial is set for Saturday (to-morrow.) I would respectfully urge your interference, so far as it can consistently be given, to delay the trials and to give all proper opportunity to furnish evidence, andI would also request your influence to secure such trial before an able and impartial judge. Please communicate to me your views by telegraph to St. Albans. I am informed that the parties under arrest, having plenty of money, have employed the best counsel.

(Signed,) J. GREGORY SMITH.
Governor of Vermont.

To the Governor of Vermont, St. Albans.

Your telegram has been received. You need entertain no apprehension that the law will not be impartially administered. An able Magistrate, Judge Coursol of Montreal, has charge of the case.

Quebec, Oct. 21st, 1864.

(Signed) MONCK.

(D.)

From the Governor of Vermont; received Oct. 21st, from Montpelier.

Your first telegram, acknowledging receipt of mine, with your last, were received at the same moment last evening. Have also received advices of the active aid directed by you in arresting the raiders. From the latest official reports, I learn that the raiders, to the number of 20 or 30, well armed, entered the village of St. Albans, robbed the three banks to the amount of over $200,000; stole horses sufficient for the use of each man, fired indiscriminately upon the citizens, unarmed, wounding three, one mortally; set fire to one of the hotels, and immediately started for your Province, all being accomplished within the space of about 45 minutes. A company of Volunteers, from among our citizens, numbering about fifty, organised as quickly as possible, and started in pursuit,

pursuing them into Canada. Please accept my hearty thanks for your expressions of consideration in our efforts to recover the plunder and bring offenders to justice.

(Signed) J. GREGORY SMITH.
Governor of Vermont.

(Copy.)

Lord Monck to Mr. Cardwell.

No. 179.

NOVEMBER 19th, 1864.

SIR,—Referring to my despatch (No. 162) of Oct., 27th, I have the honor to report to you that persons answering to the following names were arrested by the Canadian authorities, on the evidence of United States citizens, for having taken part in the attack on the Banks at St. Albans, Vermont :—

Samuel Eugene Lackey, Squire Turner Travis, Alexander Pope Bruce, Charles Moore Swazer, George Scott, Bennett H. Young, Caleb McDowall Wallace, James Alex. Doty, Joseph McGrosty, Samuel Simpson Gregg, Dudley Moore, Thomas Bronsdon Collins, Marcus Spurr, William H. Hutchinson.

The preliminary enquiry to enable me to issue warrants for the extradition of these persons, has commenced at St. Johns, but subsequently the prisoners, for the convenience and by the consent of all the parties concerned, were removed to Montreal, where they are now in custody, and where the examination proceeded till Wednesday the 16th November, when, on the application of the prisoners' Counsel, the Magistrate granted an adjournment until the 13th Decr., to enable the prisoners to bring forward material evidence.

I have the honor to transmit, for your information, copies of all the depositions and statements made in the case, which have been forwarded to me by the Magistrate.

An application has been made by the Government of the United States for the extradition of these men on a charge of murder and robbery, but I am not empowered to issue my warrant for that purpose until they shall have been fully committed by the Magistrate. At present you will observe that they are held in custody on remand only.

I have, &c.,
(Signed) MONCK.

The Rt. Honble. E. Cardwell.

(Copy.)

Lord Monck to Mr. Cardwell.

No. 196.

QUEBEC, December 15th, 1864.

SIR,—Referring to my despatches noted in the margin, I have the honor to report that the prisoners who had been arrested for having taken part in the late attack on St. Albans, in the State of Vermont, and to whom a month's time to procure evidence had been allowed, were discharged at Montreal on Tuesday last, the 13th inst., by the Police Magistrate (Mr. Coursol), on the ground that he had no jurisdiction to hear the case.

No. 162, 27th Oct.
163, 23th "
179, 19th Nov
185, 28th "
186, 30th "

I enclose a number of the "Montreal Gazette," containing the judgment of Mr. Coursol on the question.

It appears that by the Imperial Statute passed to give effect to the treaty of extradition with the United States, 6 & 7 Vic., Cap. 76, it is enacted in the 5th Sec. that "if by any law or ordinance to be thereafter made by the Local Legislature of any British Colony or Possession abroad provision shall be made for carrying into complete effect within such Colony or Possession, the objects of this present Act, by the substitution of some other enactment in lieu thereof, then it shall be competent to Her Majesty, with the advice of Her Privy Council, (if to Her Majesty in Council it should seem meet, but not otherwise) to suspend the operation within any such Colony or Possession, of this present Act, so long as such substituted enactment shall continue in force there, and no longer."

The Provincial Act, to give effect to the treaty (Consolidated Statutes of Canada, Cap 89) was passed on the 30th May, 1849, and by an order of the Queen in Council, dated 8th January, 1850, the operation of the Imperial Act in Canada was suspended in favor of the substituted Provincial Statute. In 1861, an Act was passed in the Canadian Parliament repealing certain clauses of the first Provincial Act, and substituting other provisions in their stead.

This amending Act, by an order of the Queen in Council, dated Oct. 11, 1861, was *left to its operation.*

The argument of the Counsel for the prisoners, which was adopted by Mr. Coursol, was that the repeal of the portion of the substituted Provincial Act, by the amending Statute of 1861 annulled the suspension of the Imperial Act, and that that law not having been duly suspended in favor of the amending Act, the proceedings should have been taken under the provisions of the Imperial Act.

I have been advised that the decision of Mr. Coursol is not well founded in law, and fresh warrants have been issued for the apprehension of the discharged prisoners, but I have thought it right also to issue my warrants under the Imperial Statute, so that if Mr. Coursol's decision shall be upheld, proceedings may, in that event, be taken under the Imperial Act.

I venture to suggest that the opinion of the Law Officers in England should be taken as to the propriety of passing an order in Council suspending the Imperial Act in favor of the combined provisions of the two Canadian Statutes, and so putting the question to rest, at all events in reference to future cases.

I have, &c.,

The Rt. Honble. E. Cardwell. (Signed) MONCK.

(Copy.)

Lord Monck to the Secretary of State.

No. 206.

QUEBEC, December 24, 1864.

SIR,—I have the honor to inform you that five out of the thirteen persons concerned in the late attack on St. Albans, in the State of Vermont, on whose discharge I addressed you in my despatch, No. 196, of the 15th December, have been re-arrested under warrants issued for their apprehension by a Judge of one of the Superior Courts.

They are now in custody at Montreal awaiting examination.

I have, &c.,

Secretary of State. (Signed,) MONCK.

(Copy.)

Lord Monck to Mr. Cardwell.

No. 209.

QUEBEC, December 30th, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch, (No. 98,) of the 9th inst., respecting the recent attack on St. Albans, suggesting that if the proper legal tribunals should decide that the persons in custody for that outrage have not been guilty of any offence for which they can be delivered up to the Government of the United States, I should consult my legal advisers as to whether the facts disclosed on their examination do not establish an offence against the Sovereignty of the Queen, punishable by the laws of Canada.

I have the honor, in reply, to state that at a very early stage of the proceedings I consulted the Law Officers verbally on this point, and the opinion they always expressed to me was that no evidence had been given which could enable them to proceed against the prisoners on the grounds alluded to.

I have requested them again to read over the depositions with a view to your suggestion, and I have now the honor to transmit to you a copy of their written opinion on this question.

I may add that owing to the decision of the Police Magistrate, on a technical point, by means of which the prisoners were discharged before they went into the evidence to support their own views in the matter, the Law Officers have had before them up to this time only the case for the prosecution. I have already informed you that five of the prisoners have been re-arrested, and are now undergoing examinations before Judges of the Superior Court at Montreal, and it may be that in the evidence for the defence some facts may be elicited which will show that they have rendered themselves liable to punishment under the laws of Canada.

I will not fail to watch the case closely, and to inform you from time to time of the facts disclosed on the examination.

I have, &c.,

(Signed,) MONCK.

The Rt. Honorable E. Cardwell.

(*Copy.*)—*Report from Solicitor-Gen. Langevin and Atty.-Gen. Cartier. Enclosure in Lord Monck's Despatch No.* 209, *30th Decr.*, 1864.

LAW DEPARTMENT, (L. C.)
Quebec, 29th Dec., 1864.

The undersigned has the honor to report :

That he has carefully examined the evidence adduced in the case of the St. Albans Raiders, before the Judge of the Sessions of the Peace in the City of Montreal, but that he has failed to find in such evidence anything to justify the arrest of said parties for the violation of the neutrality law, or of any law of Canada.

(Signed) HECTOR L. LANGEVIN.
Solicitor General, L. C.

I concur in the above report.

(Signed) GEO. ET. CARTIER,
Atty. General, L. C.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 214. QUEBEC, December 31st, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch, (No. 101) of December 16.

I have already in my despatch (No. 209) of yesterday's date, stated to you the steps which I have taken with respect to ulterior proceedings against the persons accused of participation in the late attack on St. Albans, Vermont, and transmitted to you the opinion of the law officers of Lower Canada on the subject.

I have also informed you in my despatch (confidential) of the 10th Novr., of the measures which my advisers have determined, with my full sanction, to lay before Parliament at its meeting on the 19th January, and for the adoption of which the facts of the present case appear to me to furnish a strong additional argument.

I have, &c.

(Signed) MONCK.

The Rt. Hon. E. Cardwell.

CROWN LAW DEPARTMENT,

Quebec, Decr. 19, 1864.

I recommend that a reward of $200 be offered to any person or persons who will give such information as to lead to the discovery and apprehension of any one and each of the offenders at St. Albans, against whom a warrant has already issued.

J. A. Macdonald. GEO. ET. CARTIER.
Atty.-Genl., L. C.

Copy of a Report of a Committee of the Honorable the Executive Council, approved by His Excellency the Governor General in Council on the 2nd December, 1864.

On the recommendation of the Hon. the Attorney General for Lower Canada, the Committee advise that a reward of two hundred dollars, ($200) be offered to any person or persons who will give such information as to lead to the discovery and apprehension of any one and each of the offenders at St. Albans, in the State of Vermont, against whom a warrant has already issued and that a Proclamation issue accordingly.

(Certified) WM. H. LEE.,
C. E. C.

To the Honorable,
The Provincial Secretary,
&c., &c., &c.

PROVINCE OF CANADA. }

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, &c., &c., &c.

To all to whom these presents shall come, or whom the same may concern—Greeting:

WHEREAS, a Warrant in due form has issued for the apprehension of Bennett H. Young, Samuel Eugene Lackey, Squire Turner Travis, Alexander Pope Bruce, Charles Moore Swazer, George Scott, Caleb McDowall Wallace, James Alexander Doty, Joseph McGrosty, Samuel Simpson Gregg, Dudley Moore, Thomas Bronsdon Collins, Marcus Spurr, William H. Hutchinson, charged on oath with the crimes of murder, assault with intent to commit murder, and robbery, committed by them in the State of Vermont, one of the United States of America, and for whose extradition a requisition has been duly made by the authority of the said United States; And, Whereas, there is reason to believe that the said Bennett H. Young, Samuel Eugene Lackey, Squire Turner Travis, Alexander Pope Bruce, Charles Moore Swazer, George Scott, Caleb McDowall Wallace, James Alexander Doty, Joseph McGrosty, Samuel Simpson Gregg, Dudley Moore, Thomas Bronsdon Collins, Marcus Spurr, William H. Hutchinson, or some of them, still remain concealed in some part of Our said Province of Canada;

Now Know Ye that a Reward of Two Hundred Dollars will be paid to any person or persons who will give such information as will lead to the discovery and apprehension of any one and each of the said persons so accused.

In testimony, &c.

This is my Draft.
December 19, 1864,

GEO. ET. CARTIER,
Atty. Gen., L. C.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 9.

QUEBEC, January 7, 1865.

SIR,—With reference to the case of the persons charged with being concerned in the late attack on St. Albans, I have the honor to acquaint you that I have this day received a telegram from Mr. Attorney General Cartier, informing me that on the same point being

raised during the preliminary examination of the prisoners before Mr. Justice Smith, with regard to the jurisdiction of the magistrate, on which Mr. Coursol previously discharged them, Mr. Justice Smith, before whom it was again argued, has pronounced Mr. Coursol's decision to be wrong, and has decided that he has jurisdiction in the matter. The examination of the prisoners will therefore be proceeded with.

I have, &c.,

(Signed,) MONCK.

Secretary of State,
&c., &c., &c.

(Copy.)

Lord Monck to Mr. Cardwell.

No. 29

ST. ALBANS BANK MONEY.

QUEBEC, 26th January, 1865.

SIR,—I have the honor to transmit for your information, a copy of an approved minute of the Executive Council of this Province, respecting the money which was found on the persons of the men arrested for participation in the late attack on the Banks at St. Albans.

These men, as you are aware from my former correspondence on the subject, were brought before Mr. Coursol, Police Magistrate at Montreal, who was specially appointed by the Government to investigate the case for the purpose of examination on an application by the United States Government for their extradition on the charge of murder, robbery and assault with intent to commit murder and robbery.

You have been already informed of the grounds on which these men were discharged from custody by Mr. Coursol with such precipitation and haste as left no opportunity to the Government to take measures for their detection.

The Attorney General, immediately on hearing of Mr. Coursol's decision, advised me that it was wrong in point of law, and, with my full sanction, directed that fresh warrants should be issued for the re-arrest of the prisoners, and that all the powers of the Government should be used for that purpose.

The result has been the re-arrest of five of the persons, so improperly set at liberty.

At the time of the discharge of these men from custody there was a sum of about 90,000 dollars, United States currency, in charge of the Court, part of the plunder which they had carried off from the Banks at St. Albans.

This money, by an act which I can only justly describe as one of gross misconduct on the part of the persons who had charge of it, was handed over to the agent of the prisoners immediately that Mr. Coursol's decision, discharging them from custody, was given.

The Banks of St. Albans were by this act deprived of the power of recovering this sum of money, if it should appear on the decision of the judge as to the merits of the case that they were entitled to it.

The Government of Canada, by the course it has taken with respect to the re-arrest of the men, has shown its conviction that it felt itself bound to place the parties demanding their extradition in as favorable a condition, as respects the prisoners, as that which they occupied before the wrongful decision of the officer of the Government specially appointed for the investigation of the matter.

The Ministers of the Crown in Canada are of opinion, and in this view I entirely coincide, that the same considerations which induced them to take vigorous measures for the re-arrest of the men are also valid to show that the sum of money which was in Court to abide the decision of their case, and which was improperly paid out by those who had charge of it, and for whose conduct the Government is responsible, should also be replaced.

In pursuance of the accompanying minute an estimate for the sum required for this purpose has been laid before the Legislative Assembly, and I have little doubt will be voted for that purpose.

I trust the course adopted in reference to this subject will meet with your approbation.

I have, &c.,

(Signed) MONCK.

The Right Honble.
E. Cardwell,

Minute of the Executive Council, dated January 23rd, 1865.

On a memorandum, dated 23rd January, 1865, from the Honorable the Attorney General, Lower Canada, stating that, considering the failure of justice in connection with the case of the St. Albans' offenders, he recommends that an item be inserted in the Estimates for a sum sufficient to cover the amount which appears to have been improperly given up by Mr. Lamothe, late Chief of Police at Montreal; such sum to be paid to the parties who would have been entitled to the sums so improperly given up.

The Committee advise that the recommendation of the Attorney General be approved and noted on.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 50. QUEBEC, February 10th, 1865.

SIR,—Referring to your despatch (No. 9.) of Jan. 14, I have the honor to transmit copies of depositions and other evidence taken before Mr. Justice Smith, in the case of the prisoners concerned in the late attack on St. Albans, Vermont.

I am not in possession of any direct evidence bearing on the truth or falsity of the statements made by the prisoners, as to the organization of the conspiracies in Canada.

I have, &c.,

(Signed) MONCK.

The Rt. Honble.
E. Cardwell,

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 56. QUEBEC, February 21, 1865.

Lord Monck.
No. 179, 19 Nov.'64
185, 28, "
186, 30 "
209, 30 Dec.
50, 10 Feb.'65
Mr. Cardwell.
No. 9, 14 Jan.,'65.
Atty.-Gen. Cartier.
21 Feb., 1865.

SIR,—Referring to the several despatches noted in the margin I have the honor to transmit for your information, copies of several depositions taken before Judge Smith, in the case of the prisoners accused of participation in the late attack on St. Albans, and which, with the documents already transmitted to you, completes the evidence adduced in the case.

I also enclose a copy of a report to me from the Atty.-General of Canada East, stating his opinion as to the effect of the further evidence, which I now transmit, on the question as to whether these prisoners have violated the neutrality of Her Majesty's Territories, and the course which he thinks should be pursued, should Judge Smith decide that these persons should not be given up to the authorities of the United States, under the provisions of the Extradition Treaty.

I have, &c.,

(Signed) MONCK.

The Rt. Honble.
E. Cardwell.

(Copy.) *Lord Monck to the Secretary of State.*

No. 62.

QUEBEC, February 25th, 1865.

SIR,—I have the honor to transmit for your information a paraphrase of a telegram in cypher, which I have received from Mr. Burnley, and a paraphrase of a telegram in cypher which I despatched to him in reply.

I have, &c.,

The Secretary of State. (Signed) MONCK.

(Copy.) *Paraphrase of Telegram in cypher from Lord Monck to Mr. Burnley.*

QUEBEC, February 25th, 1865.

I send you a despatch by the mail to-day. Mr. Seward may be informed, confidentially, that before I received your message by telegraph, in cypher, I had made arrangements for prosecuting the raiders under the Foreign Enlistment Act, if the decision of the Court should be that they cannot be surrendered under the Extradition Treaty.

(Signed,) MONCK.

(Copy.) *Paraphrase of Telegram in cypher from Mr. Burnley to Lord Monck.*

Mr. Seward believes, from private information, that it is the intention of the Canadian Court to set the St. Albans prisoners at liberty. If they are discharged we may expect a recurrence of hostile feelings and expressions. Would it not be possible if the prisoners cannot be surrendered under the Extradition Treaty, to prosecute them for a breach of neutrality? If this were done I think the Washington Government would be perfectly satisfied, and friendly relations restored.

(Signed) J. H. BURNLEY.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 99.

QUEBEC, April 8th, 1865.

SIR,—Referring to my despatches noted in the margin, I have the honor to transmit for your information, copies of the Montreal "Gazette" and Montreal "Telegraph," containing reports of the judgment delivered by Judge Smith, in the case of the men accused of robbery at St. Albans, in the State of Vermont, and whose extradition was demanded by the Government of the United States.

No. 56, Feb. 21st.
62, " 25.
April 5th, 1865.
April 5th, 1865.

I caused an application to be made to Judge Smith for a copy of his judgment, but he states that it was delivered orally, and that he is satisfied with the correctness of the newspaper report, which I send you.

Judge Smith having decided that the case of these men is not within the measure of the Extradition Treaty, and that they cannot be surrendered to take their trial in the United States, a warrant has been issued, and they have been arrested on a charge of having broken the Municipal Law of Canada, by their acts in connection with the late attack on St. Albans.

Their trial will probably take place at Toronto—where the alleged breach of our law is stated to have occurred—at the Assizes to be held in that city in the latter part of the present month.

I have, &c.,

The Rt. Honble. E. Cardwell. (Signed) MONCK.

(Copy.) *Judge Smith to Denis Godley.*

MONTREAL, 6th April, 1865.

SIR,—I have the honor to acknowledge the receipt of your letter dated the 4th April instant, requesting from me an authenticated copy of the judgment given by me in the case of the St. Albans raiders. I beg leave to inform you that, except the usual formal judgment in discharge of the accused, entered upon the proceedings, no judgment has been rendered. The reasons advanced by me in support of my judgment were given orally, and will be found, I believe, to have been correctly reported (apart from a few typographical errors) in the Montreal "Gazette" and the "Evening Telegraph," published in this city on the 4th day of April.

Beyond this I am unable to comply with His Excellency the Governor General's views.

I have, &c.,

(Signed) SMITH.

Denis Godley, Esq,
Governor's Secretary.

Minute of the Executive Council dated April 4th, 1865.

The Committee have had under consideration a memorandum dated March 31st, 1865, from the Honorable the Minister of Finance, stating that under the circumstances in which the money stolen from the St. Albans Banks was returned to the plunderers, it became impossible for the parties injured to take the requisite steps for detaining the money in the hands of the officer, to whom it was intrusted, and it thus became necessary to obtain from Parliament an appropriation to replace the sum so improperly returned.

That had the decision of Judge Smith been to the effect that the prisoners were to be surrendered to the United States authorities, it would have been the duty of the Government to accompany such surrender with the return of an amount equivalent in value to the securities given up by Mr. Lamothe, but as it appears from the decision of the Court that it has been considered that the parties arrested had not committed any offence against the laws of the United States, an important question now arises as to the duty of the Government with reference to the private property which was secured upon the persons of the offenders.

That the case of the St. Albans raid cannot be considered as coming under the ordinary category of crimes, but in its very inception and nature assumed the character of an international offence, and that under these circumstances, it appears to be desirable that, though the Courts have seen fit to view the offence as one against international law and not against the Municipal Law of the United States, or of the State in which the outrage was committed, the Government of Canada should see that no private wrong arises from this decision. That the intention of the Legislature in making the appropriation was unquestionably to protect the parties from all the consequences of the wrongful act committed by Mr. Lamothe, and that it is clear they would have no recourse under the present decision of Judge Smith against the funds appropriated by the Legislature, while they have lost all remedy against those which were so improperly given up.

He, the Minister of Finance, therefore recommends that a warrant issue in favor of the Attorney General for L. C. for ————, to enable him to pay the parties entitled to the same the equivalent in value, as ascertained on the 29th March, of the securities improperly surrendered by Mr. Lamothe, upon production of evidence satisfactory to him of their right to receive the same, and that for any amount beyond the sum of $50,000 appropriated, the excess should be charged against the general vote of credit taken.

The Honble. the Attorney General for L. C., acting for the Honorable the Minister of Finance, reports that having considered the Report of the Honorable the Minister of Finance on the subject of the re-imbursement of an amount equivalent to the value of the securities, &c., stolen from the St. Albans' Bank, he submits that since the receipt of that Report, a statement (appended to his report) has been obtained from the Bank o

Montreal in reference to the estimated cost of replacing such securities, which is stated to be, in gold, $58,322$\frac{75}{100}$, but inasmuch as it is stated in the letter covering the above estimate, that with regard to the amount, $28,500 taken from the Franklin County Bank (which forms part of the above estimate), there is not a sufficient amount of its Bills in the market to enable my actual quotation to be based, he recommends that the settlement of the amount payable to the Franklin County Bank be suspended for the present, and that a warrant issue in the meantime for such amount (to be determined by the Auditor) as will cover the balance coming to the other Banks at the rates mentioned in the statement so submitted.

He further recommends that the Warrant issue in the name of the Honorable the Solicitor General for L. C., on whom the duty will devolve of seeing that the moneys are paid to the parties properly entitled thereto.

The Committee submit the above recommendation for Your Excellency's approval. Any excess beyond the $50,000 voted to be charged against the general vote of credit taken.

(Copy.) *Lord Monck to the Secretary of State.*

No. 107.

QUEBEC, April 21st, 1865.

SIR,—Referring to my despatch No. 99, of the 8th April, in which I informed you that the persons concerned in the attack on St. Albans had been discharged by Mr. Justice Smith, and had been re-arrested on a charge of unlawfully levying war against a foreign power, I have now the honor to transmit for your information, a copy of the proceedings against the prisoners for conspiracy before the Recorder of Toronto. One of the persons concerned, Bennett H. Young, was committed for trial by the Recorder, and was subsequently admitted to bail. The remainder were discharged for want of sufficient evidence to justify their committal.

I have, &c.,

The Secretary of State. (Signed,) MONCK

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 120.

QUEBEC, May 19, 1865.

SIR,—I have the honor to transmit for your information, copies of the indictments in the cases of Jacob Thompson, Clement Clay, William Cleary, William McDonell, and Bennett Young, charged with having conspired in Canada to levy war against the United States. True bills were found by the Grand Jury against all these persons. Cleary and McDonell were arrested. The former was admitted to bail, but McDonell is in prison. Thompson and Clay have not been taken. Bennett Young, as I informed you in my despatch No. 107, of the 21st April, is at large, under bail to appear at the next assizes at Toronto.

I have, &c.,

(Signed,) MONCK.

The Right Honorable
Edward Cardwell,
&c., &c., &c.,
Secretary of State.

(Copy.) *Mr. Cardwell to Viscount Monck.*

No. 98. DOWNING STREET, 9th December, 1864.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's despatches, Nos. 182 and 184, of the 25th of November, reporting the circumstances under which you had issued a Proclamation forbidding the exportation from Canada of warlike stores or munitions of war.

I have to acquaint you that Her Majesty's Government entirely approve of the course which, by the advice of your Ministers, you have taken in this case.

I have received, from Earl Russell, copies of a note from Mr. Seward, and of its enclosures, copies of which were forwarded to you by Lord Lyons on the 23rd ultimo. Her Majesty's Government rely with confidence on your having used and continuing to use all the powers at your disposal in order to prevent the successful execution of any such schemes.

With regard to the persons whose extradition has been demanded by the United States Government for the late alleged act of murder and robbery at St. Albans, Your Lordship will necessarily have acted upon the decision of the proper legal authorities in Canada. If the decision shall be that they have not been guilty of any offence, for which they can be delivered up to the Government of the United States, Her Majesty's Government do not doubt that you will have consulted your legal advisers whether the facts do not establish an offence against the Sovereignty of the Queen, punishable by the laws of Canada.

&c.,

(Signed,) EDWARD CARDWELL.

Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Cardwell to Lord Monck.*

No. 101. DOWNING STREET, December 16, 1864.

MY LORD,—Her Majesty's Government have had under their consideration, and have referred to the Law Officers of the Crown the depositions taken in the case of the late attack upon St. Albans, Vermont, and forwarded to me in your despatch of the 19th ult. No. 179.

You will necessarily have been guided by the decision of the proper legal authorities in Canada, whether the persons in custody ought or ought not to be delivered up under the Treaty of Extradition. If that decision shall have been that they ought, Her Majesty's Government will entirely approve your having acted upon that decision.

If the decision shall have been that they ought not, Her Majesty's Government think that the opinion of your legal advisers should be taken, whether upon the evidence and other information in the possession of the Canadian Government, these persons may not properly be put upon their trial on a charge of misprision and violation of the Royal Prerogative, by levying war from Her Majesty's Dominions against a friendly power.

Unless the Canadian Law Officers should see reason to the contrary, Her Majesty's Government would wish that in the case supposed they should be retained in custody and brought to trial for that offence.

Her Majesty's Government also think that such a decision of the legal authorities of Canada would furnish a strong argument for the expediency of arming the Canadian Government as promptly as possible with such additional legal powers of prevention as were referred to in my despatch of the 3rd instant.

Since writing the foregoing part of this despatch, I have received your despatch No. 186, of the 30th ultimo, to which it is not possible for me to reply by this day's mail. That despatch suggests the possibility that in the course of the proceedings some difficulty may arise on which it will be necessary for you to ask for specific instructions from the Home Government. You will not understand that anything I have written is intended to

preclude you from the fullest opportunity of making such a reference during which time it will of course be proper that the prisoners be detained in custody.

I have, &c.,

Viscount Monck. (Signed,) EDWARD CARDWELL.

(Copy.) *Mr. Cardwell to Lord Monck.*

No. 108. DOWNING STREET, 24th December, 1864.

MY LORD,—I have now to reply to your despatch No. 186 of the 30th ultimo, reporting that the persons concerned in what is called the St. Albans raid had applied to you to send a messenger of the British Government to Richmond, in order to obtain evidence stated by them to be necessary for their defence. Her Majesty's Government consider that under the circumstances stated in your despatch, the proper course would be for the magistrate to grant such an enlargement of time as would give the prisoners reasonable opportunity of obtaining the required evidence through any means of communication which are practically open.

It seems therefore that the course which you were advised to take was right, and that if any difficulty arose in the course of the proceedings at a later stage, it would be open to you to take the advice of your Law Officers upon it, or, if need were, to refer for specific instructions to the Home Government.

I have, &c.,

Viscount Monck, (Signed) EDWARD CARDWELL.
&c., &c., &c.

(Copy.) *Mr. Cardwell to Viscount Monck.*

No. 4. DOWNING STREET, 11th January, 1865.

MY LORD,—I learn with satisfaction from Your Lordship's despatch, No. 206, of the 24th of December, that five of the persons concerned in the recent attack on St. Albans, Vermont, have been re-arrested, and are in custody at Montreal, awaiting examinination.

I have, &c.,

Viscount Monck. (Signed) EDWARD CARDWELL.

(Copy.) *Mr. Cardwell to Viscount Monck.*

No. 9. DOWNING STREET, 14th January, 1865.

MY LORD,—With reference to my despatch (No. 108) of the 24th ultimo, I have to aquaint you that Her Majesty's Government are desirous to receive any information which you may be able to communicate as to the truth of allegations made by the prisoners lately in confinement at Montreal, upon the charge of having been concerned in the St. Albans Raid.

Her Majesty's Government understand them to have stated that the expedition to St. Albans was not organized in Canada; that the orders and instructions to make the attempt were received by Mr. Young, a Commissioned Officer in the service of the so-styled Confederate States, in August, 1864, at Chicago, in the United States. I should be glad to be informed whether this statement is confirmed; whether they appear to have

entered Canada before going to St. Albans; and to receive all the information with which it is in your power to supply me as to their proceedings.

I have, &c.,

(Signed,) EDWARD CARDWELL.

Governor Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Cardwell to Viscount Monck.*

No. 51. DOWNING STREET, 1st April, 1865.

MY LORD,—I duly received your Lordship's despatches No. 50 of 10th February, and No. 56, of 21st February, accompanied by depositions, and other evidence in the case of the prisoners accused of participation in the late attack on St. Albans, in the United States.

Without seeing all the documents proved on the part of the prisoners, for the purpose of showing that the St. Albans Raid was an expedition undertaken under express orders for that purpose from the authorities of the Confederate States (and especially the alleged instructions under the hand of the "Honble. Clement C. Clay," which are not with the papers), I am unable to judge whether the *primâ facie* case of robbery, made out by the depositions on the part of the United States, has been sufficiently rebutted.

I collect, however, from the depositions, that the Honble. C. C. Clay, lately resident at St. Catherines, in Upper Canada, was a political agent of the Confederate Government, said to be armed with the largest powers: and that it was the object of the prisoners' evidence (oral and documentary) to show that they, being Confederate officers and soldiers, were directed by their Government to take their instructions from this Mr. Clay, as to the special service to be performed by them: and that they did accordingly receive from Mr. Clay, in Canada, instructions for the attack which they afterwards made upon St. Albans, and were furnished by him, in Canada, with money for that purpose: and that they did, in fact, proceed from Canada to St. Albans on a belligerent expedition under those instructions.

If this be so (and assuming the belligerent character of the acts done to be made out by the evidence), I am advised that the Attorney General of Canada is right in holding that the evidence discloses a gross and deliberate violation of the neutrality of this country, and that the prisoners, if discharged under the Warrant for their extradition, ought (together with Mr. Clay, if he can be found within the jurisdiction) to be put upon their trial for such misdemeanor, either at Common Law, or under the Foreign Enlistment Act, as may appear to the legal advisers of the Canadian Government to be capable of being established by the evidence.

I have, &c.,

(Signed,) EDWARD CARDWELL.

Governor Viscount Monck,
&c., &c., &c.

20TH JANUARY, 1865.

On a memorandum from Your Excellency, dated 19th December, ultimo, calling the attention of the Committee to the conduct of Mr. Coursol, Judge of the Sessions at Montreal, in reference to the order made by him, by which, on a technical objection to his jurisdiction, certain persons accused of murder and robbery in the State of Vermont, have been set at liberty without any decision on the merits of their case.

Your Excellency observes that Mr. Coursol was specially appointed by the Government to take charge of the preliminary investigation of this important case, and through the whole course of the enquiry was in constant communication with the Attorney General in reference to it.

That his duty under such circumstances (when a technical objection, not at all affecting the merits of the case, was raised), clearly, was to communicate with the Attorney General, in order that there might be no substantial failure of justice.

That without going into the question as to the validity of the objection raised in the point of Law, Your Excellency is satisfied that a decision invalidating a Law which has been acted upon for three years by the Superior Courts of the land, is not one which should be given by a Justice of the Peace with the haste and precipitancy which characterized Mr. Coursol's proceedings, which were of such a nature as not to allow time for consideration on the part of those retained for the prosecution, or for the Crown, as to the course they should pursue, and the result of which will probably be an entire failure of justice in the case.

That Your Excellency therefore desires the advice of the Committee of Council as to whether, in their opinion, Mr. Coursol has shewn in the case that judgment and discretion which should qualify him for his present position, and for the possession of which qualities in the person who occupies it, the Governor General is responsible, the office being held only during pleasure.

The Honble. the Law Officers of the Crown for Lower Canada, to whom Your Excellency's Memorandum was referred, report that it is, in their opinion, expedient that a Commission of enquiry should issue with a view to a thorough investigation being had into all the proceedings relative to the St. Albans offenders, from the period of their first arrest until their discharge on the 13th December last, and with a view to ascertain the causes of a failure of justice in that matter and the circumstances attending the same. Such enquiry, they suggest, should extend to an investigation into the proceedings connected with their arrest, examinations, commitments and discharge. Also as to what several sums of money were at different times seized, and by whom seized, and how such several sums came into the possession of Mr. Lamothe, the late Chief of Police at Montreal, the circumstances connected with the giving up of the moneys entrusted to him, to whom delivered up, and by whose order. Also, whether any Warrant for the re-arrest of the accused was refused to be executed, and if so, by whom, and for what reason; and generally to extend to the obtaining of authentic information respecting all matters and things connected with the arrest, discharge, and re-arrest of the prisoners, and the seizure, detention and giving up of moneys which were in the hands of Mr. Lamothe.

The Committee advise that a Commission issue for the purposes suggested by the Law Officers of the Crown.

(Copy.)

Lord Monck to Mr. Burnley.

J. Hume Burnley, Esq.,
&c., &c., &c.,
Chargé d'Affaires, Washington.

QUEBEC, October 26th, 1864.

SIR,—My attention has been called to the accompanying extract from the "New York Post," purporting to give the words of an order telegraphed to the officer commanding at Burlington, Vermont, by Major-General Dix, on the occasion of the late outrage at St. Albans.

I have, of course, no means of knowing whether such an order as that alluded to was ever issued by Major-General Dix, but as it has appeared uncontradicted in the public papers, and contains express directions on the part of an official of the United States for the entry of the troops of that power on the territory of Her Majesty, I think it my duty to ask you to bring the subject under the notice of the Secretary of State of the United States, with the view that the order may be disavowed or explained.

While no one would be inclined to scan too narrowly the conduct pursued by the citizens of St. Albans when smarting under the effect of the outrage to which they have been lately unfortunately subjected, it is obvious that an order such as that to which allusion is here made, if issued by a responsible officer of the United States, would be liable

to a different construction, and might, unless remonstrated against, be drawn into a precedent in the future.

You may assure Mr. Seward that there exists amongst the British authorities in Canada the most earnest desire to use all the powers which the laws confer upon them in co-operating with the officials of the United States, for the repression and punishment of outrages such as that which has just occurred at St. Albans.

I trust that the proceedings lately adopted in this Province will prove that this declaration is not an empty profession, and will show that the most energetic measures will at all times be used to prevent any aggression on the territory of the United States from Canadian soil, or any abuse of the right of asylum allowed in Her Majesty's dominions.

I am sure Mr. Seward will, on the other hand, see that it is necessary, in order to the maintenance of these amicable relations, that no act should be done by any civil or military officer of the United States which might bear the construction of being an infraction of the rights of Her Majesty, or a violation of the soil of Her dominions, and that he will believe that this remonstrance is made in no unfriendly spirit, and is prompted by a sincere desire to prevent any just cause of complaint between the countries.

I have, &c.,

(Signed,) MONCK.

(Copy.) *Lord Lyons to Viscount Monck.*

WASHINGTON, October 29th, 1864.

MY LORD,—I have this morning had the honor to receive Your Excellency's despatch to Mr. Burnley of the 26th instant, enclosing an extract from a newspaper purporting to give the words of an order telegraphed to the officer commanding at Burlington, Vermont, by Major-General Dix, on the occasion of the late outrage at St. Albans.

I have, without any loss of time, transmitted copies of the despatch, and of the newspaper extract, to the Secretary of State of the United States and have recommended the matter to his serious attention.

I have, &c.,

(Signed,) LYONS.

His Excellency,
The Viscount Monck,
&c., &c., &c.

(Copy.) *The Raid at St. Albans.*

"The organization of bands of rebel marauders in Canada, for the purpose of coming within our lines, committing depredations on our property and shooting down our citizens, is of so grave a character as to demand the prompt and decisive action of the Government. If measures are not adopted to put an end to this abuse of the right of asylum and the violation of the duties of neutrality, our citizens on the frontier will take the matter into their own hands. We should deeply regret such unauthorized acts of reprisal. Whatever is done, should be done under the authority of the Government. Either the Canadian authorities should be called on to send the rebels, who are getting up predatory enterprises against us, out of Canada, or we should have armed forces on the frontier ready to take summary vengeance on the marauders, and for that purpose to follow them, as we have a right to do, across the lines, if the pursuit is instant. When General Dix was advised of the outrages at St. Albans, he sent the following despatch to the commanding officer at Burlington, Vermont: "Send all the efficient force you have to St. Albans, and try to find the marauders who came from Canada this morning. Put a discreet officer in command, and in case they are found on our side of the line, pursue them into Canada, if necessary, and destroy them."

The order was carried out so far as to pursue the marauders into Canada, where eight of them were captured. If they had been shot down as they shot down the peaceful citizens of St. Albans, it would have been no more than exact justice. A single example of stern retribution would go far to break up these piratical expeditions. But the Government should take the matter in hand, as a grave international question, and not to leave it to local commanders."—*N. Y. Post.*

(Copy.) *Lord Monck to Mr. Burnley.*

J. H. Burnley, Esq.,
&c. &c., &c.
Washington.

QUEBEC, October 28th, 1864

SIR,—I have the honor to acknowledge the receipt of your despatch and enclosure of October 23rd, respecting the course pursued by the Canadian authorities in reference to the perpetrators of the late depredations on St. Albans, Vermont.

In reply I beg leave to express my satisfaction that the motives and conduct of the Canadian Government have been rightly appreciated by the President of the United States.

I shall feel much obliged if you will communicate to Mr. Seward, the substance of this letter.

I have, &c.,
(Signed,) MONCK.

(Copy.) *Lord Monck to Mr. Burnley.*

J. H. Burnley, Esq.,
&c., &c., &c.
Washington.

QUEBEC, October 31st, 1864.

SIR,—I have the honor to acknowledge the receipt of your despatch of the 25th inst., covering an application from the Secretary of State of the United States, for the extradition of C. M. Wallace and other persons, fugitives from justice from the United States, and stated to be now in Canada.

I have the honor to state in reply, that as soon as I shall have been advised that the proofs required by the Treaty of Extradition have been made in the case of these men the necessary Warrants will be issued for their delivery to the authorities of the United States.

I have, &c.,
(Signed) MONCK.

Lord Monck to Lord Lyons.

(Copy.) QUEBEC, November 12th, 1864.

MY LORD,—I have the honor to acknowledge the receipt of your despatch of November 7th, and the accompanying note from Mr. Seward, dated November 3rd, relative to the despatch which I deemed it my duty to address to you on the 26th October, calling your attention to an extract from the New York *Evening Post*, which purported to give the words of an order issued by Major General Dix, in reference to the recent outrage at St. Albans, Vermont.

I shall transmit Mr. Seward's note to the Secretary of State for the Colonies, for th consideration of Her Majesty's Government.

There is one statement, however, in Mr. Seward's note, to which I must allude, in justice to myself and the Government of Canada. The Secretary of State for the United States says:—"While this Government has been considering Earl Monck's request, our "requisitions for the offenders, whose crimes were committed on Lake Erie, and for the "burglars and murderers who invaded Vermont, remain unanswered."

With regard to the first of these outrages, it occurred on the 19th September.

On the 22nd October, a despatch was received by me from Mr. Burnley, dated October 16th, enclosing a note from the Secretary of State of the United States, demanding the extradition of Bell and others, (the persons supposed to have been concerned in the Lake Erie outrage.)

On the same day, (Oct. 22nd,) I addressed a despatch to Mr. Burnley, in which I acknowledged the receipt of his communication, and begged him to inform Mr. Seward that, as soon as I should have been advised that these persons or any of them had been arrested in Canada, and that the proofs required by the Treaty had been made, the necessary Warrants should be issued for their delivery to the authorities of the United States.

With reference to the outrage committed at St. Albans, this affair occurred on the 19th October.

On the 31st October, I received from Mr. Burnley, a despatch dated October 25th, demanding the extradition of C. M. Wallace and twelve other persons, participators in the St. Albans affair.

On the same day, I answered Mr. Burnley's despatch, informing him that when the proofs required should have been made, the warrants for extradition should be issued.

On the 4th Nov., I received a further despatch, dated Oct. 29th, referring to the same persons, and stating that they were in custody in Canada, and asking for their extradition.

This was answered on the same day, informing Mr. Burnley that the men referred to were in custody, and that the Warrants for their extradition should issue as soon as the proofs required by the Treaty had been completed.

On the 7th November, I received from Lord Lyons, a further despatch, dated November 1st, enclosing a demand for the extradition of one Hutchinson, a man whose name was not included in the former list.

This despatch was answered on the same day, and in the same terms as the former communications.

I have been thus minute in the statement of what has occurred in these matters, because I should have felt much annoyed if it could be supposed that your communications to me, made at the instance of the Minister of a friendly power, had been for any cause allowed to remain unanswered.

I have, &c.,

(Signed,) MONCK.

His Excellency the Lord Lyons.

Lord Monck to Lord Lyons.

(Copy.)

QUEBEC, Nov. 28th, 1864.

MY LORD,—I have the honor to acknowledge the receipt on yesterday, (Sunday), of your despatch of the 22nd instant, covering a note from the Secretary of State of the United States, in which Mr. Seward states that inaccuracies had occurred respecting the names of some of the prisoners in his former note, demanding the extradition of Samuel Eugene Lackey and others, accused of murder and assault, with intent to commit murder in the State of Vermont, and that he now forwards a correct list of the names and duly authenticated copies of the complaints made against these persons, and regular Warrants issued for their apprehension by the proper Courts of the State of Vermont.

In reply, I have the honor to state that persons answering to the names contained in Mr. Seward's note, are now in custody on remand at Montreal, and that as soon as I shall

have been advised that the proofs required by the Extradition Treaty have been made in their cases, the necessary Warrants will be issued for their delivery to the officers of the United States.

I have, &c.,
(Signed,) MONCK.

His Excellency the Lord Lyons.

Lord Monck to Sir F. Bruce.

(Copy.) QUEBEC, September 25th, 1865.

SIR,—I have the honor to transmit for your information, copies of the several minutes of Council of the Province of Canada, under which the money abstracted from the Banks at St. Albans, in October, 1864, and wrongfully surrendered by the Chief of Police at Montreal, was refunded to the persons entitled to it.

A vote for the amount required for this purpose was passed by the Canadian Parliament, and I enclose copies of the receipts from the persons to whom it was paid.

I have, &c.,
(Signed,) MONCK.

His Excellency the Honorable
Sir F. Bruce, G.C.B.

Mr. J. Hume Burnley to Viscount Monck.

(Copy.) WASHINGTON, October 23rd, 1864.

MY LORD,—I have the honor to enclose copy of a note of the 21st instant, which I have received from Mr. Seward, thanking Your Excellency and the Canadian authorities for the active assistance afforded during the late proceedings at St. Albans, in Vermont.

I have, &c.,
(Signed,) J. HUME BURNLEY.

His Excellency,
The Viscount Monck,
&c., &c., &c.

Mr. Seward to Mr. Burnley.

(Copy.) DEPARTMENT OF STATE,

Washington, 21st Oct., 1864.

SIR,—I have received communications from the United States Consul at Montreal, which inform me that His Excellency Governor Monck and other Canadian authorities are proceeding with zeal and vigor to arrest the parties who were engaged in the depredations committed at St. Albans, in Vermont. It is not to be doubted that the object of those depredations is the same with that of the piratical operations which recently occurred on Lake Erie, namely, to embroil the Governments of the United States and Great Britain in a border war. Under these circumstances, I think it proper to let you know that the President regards with sincere satisfaction the conduct and proceedings of the Canadian authorities, before referred to.

Thus far, I have received no official or other certain account of the proceedings of the United States civil or military agents. But I am glad to learn, by unofficial reports, that the officers and agents of the two Governments are acting together in good faith, and with

due respect on each side, for the lawful rights and authority of the other. This is in entire conformity with the wishes of the United States.

I have, &c.,

J. H. Burnley, Esq. (Signed,) W. H. SEWARD.

(Copy.) *Mr. J. Hume Burnley to Viscount Monck.*

WASHINGTON, October 25th, 1864.

MY LORD,—I have the honor to transmit to Your Excellency, a copy of a note which I have this day received from the Secretary of State of the United States, requesting that Her Majesty's Government will issue the necessary Warrants for the extradition of C. M. Wallace and others, stated to be now in Canada.

I have, &c.,

His Excellency, (Signed,) J. H. BURNLEY.
The Governor General
of Canada,
&c., &c., &c.,
Quebec.

(Copy.) *Mr. Seward to Mr. Burnley.*

DEPARTMENT OF STATE,
Washington, 25th October, 1864.

SIR,—Information has been received at this Department that C. M. Wallace, Charles Swazer, Bennett Young, Squire Travis, Dudley Moore, George Williams, (alias Geo. Scott) Samuel Gregg, Marcus A. Spiers, S. B. Collins, H. P. Bruce, S. C. Lackey, S. Doty, J. McGrosty, charged with the crime of murder, assault with intent to commit murder, and robbery within the jurisdiction of the United States, at St. Albans, in the State of Vermont, are now fugitives from the justice of the United States, in Canada, where they have been arrested and committed by Her Majesty's authorities with a view to their examination, in compliance with the provisions of the Xth Article of the Treaty of Washington. I have the honor to request through you, Sir, that Her Majesty's Government will be pleased to issue the necessary Warrant for their delivery to any person whom the Governor of the State of Vermont may appoint to receive the said fugitives, in order that they may be brought back to the United States for trial.

I have, &c.,

J. H. Burnley, Esq. (Signed) W. H. SEWARD.

(Copy.) *Lord Lyons to Viscount Monck.*

WASHINGTON, October 29th, 1864.

MY LORD,—With reference to Mr. Burnley's despatch of the 25th October, I have the honor to transmit to Your Excellency, a copy of a further note from the Secretary of State of the United States, containing a demand for the extradition of certain persons stated to be in Canada, fugitives from the justice of the United States.

I have, &c.,

His Excellency (Signed,) LYONS.
The Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, 29th Oct., 1864.

MY LORD,—Information has been received at this Department that Samuel Eugene Lackey, Squire Turner Travis, Charles Moore Swazer, George Scott, Bennett H. Young, Caleb McDowell Wallace, James Alexander Doty, Joseph McGrosty, Samuel Simpson Gregg, Dudley Moore, Thomas Bronsdon Collins, Marcus Spurr and Alexander Pope Bruce, charged with the crimes of murder, assault with intent to commit murder, and robbery, within the jurisdiction of the United States, are now held in gaol at St. John's in Canada East, awaiting the requisition of this Government for their extradition as fugitives from justice.

I have the honor, therefore, to request through Your Lordship that Her Majesty's Government will be pleased to issue the necessary Warrant for the delivery of the persons of the above mentioned fugitives to any person or persons duly authorized by the Governor of the State of Vermont to receive them, and to bring them back to the United States for trial.

I have, &c.,
(Signed,) WM. H. SEWARD.

(Copy.) *J. Hume Burnley (for Lord Lyons) to Viscount Monck.*

WASHINGTON, November 7th, 1864.

MY LORD,—I had the honor of informing Your Excellency, on the 29th ultimo, that I had transmitted to the Secretary of State of the United States, copies of Your Excellency's despatch of the 26th ultimo, and of its enclosures, relative to the order said to have been telegraphed to the officer commanding at Burlington, Vermont, by Major General Dix, on the occasion of the late outrages at St. Albans, and I now have the honor to forward to Your Excellency a copy of Mr. Seward's answer.

I regret that serious indisposition obliges me to abstain, for the present, from attending to the business of this Legation.

I have therefore requested Mr. Burnley to sign for me during my temporary illness.

I have the honor to be,
My Lord,
Your Excellency's
Most obedient
Humble Servant,
(Signed,) For Lord Lyons J. HUME BURNLEY.

His Excellency
The Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Seward to Lord Lyons.*

DEPARTMENT OF STATE,
Washington, 3rd Nov., 1864.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's note of the 29th October last, together with a copy of a communication which has been addressed to you by His Excellency Lord Monck, the Governor General of Canada, in which he asks an explanation or a disavowal of what is set forth in an article in the New York *Evening Post* on the subject of the crimes of robbery and murder recently committed at St. Albans, by persons who came from Canada to that place and returned again to

Canada for refuge from capture and punishment. On the 24th day of October last I addressed a note to Mr. Adams, concerning the transaction thus referred to, in which I fully explained the views and sentiments of this Government in regard to the unhappy condition of affairs on the British North American border, its causes, probable consequences, and its needful remedy. Indignant complaints by newspapers, which are entirely independent of the Government, as well as well as spontaneous, hasty popular proceedings for self-defence and retaliation are among the consequences which must be expected to occur when unprovoked aggressions from Canada no longer allow our border citizens to navigate the intervening waters with safety, or to rest at home with confidence of security for their property and their lives. With a sincere conviction that Lord Monck is governed by the highest sense of honor and justice, I must nevertheless be allowed to say that I do not think that the matter which he has submitted, when duly weighed, is sufficient to call for any enlargement or modification of the views I have already submitted through Mr. Adams to Her Majesty's Government. While this Government has been engaged in considering Earl Monck's request, our requisition for the offenders whose crimes were committed on Lake Erie, and for the burglars and murderers who invaded Vermont, remain unanswered, we hear of a new border assault at Castine, in the State of Maine, and we are warned that plots are formed at Montreal to fire the principal cities of the Union. It is not the Government nor is it the people of the United States that are delinquent in the fulfilment of fraternal national obligations.

I have, &c.,

(Signed,) W. H. SEWARD.

Lord Lyons,
&c., &c. &c.

XVI.—THE FENIAN RAIDS.

(Copy.) *Sir John Michel to Mr. Cardwell.*

No. 14. MONTREAL, 10th November, 1865.

SIR,—I have the honor to inform you that I have decided, with the concurrence of my Executive Council, on calling out for active service nine Companies of the Volunteer Militia of the Province. This measure has been taken as a matter of precaution against hostile incursions of Fenians from the United States. I intend to station the Volunteers along those portions of the Frontier which are most exposed to predatory attacks.

I have, &c.,

(Signed,) J. MICHEL.

The Right Honorable
Edward Cardwell,
&c., &c., &c.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 15. MONTREAL, March 9th, 1866.

SIR,—I have the honor to transmit for your information, a copy of an approved 7th March, 1866. Minute of the Executive Council of this Province, calling out for duty ten thousand men of the Volunteers of Canada.

You have been made aware, by recent despatches from Sir John Michel, and myself, that information has reached me from many quarters tending to shew an intention on the part of the Fenians to make an inroad on Canadian territory.

This information was further supported by Police reports, announing that parties of suspicious looking persons were observed entering Canada from the United States, and were recognized in the streets of our large towns.

These reports, taken in connection with the open avowals at their public meetings, held in the United States, of the leaders of a portion of the Fenian Society, that it was their intention to attack this Province, had induced a feeling of great uneasiness and insecurity amongst the people.

My advisers came to the conclusion, in which I entirely concur, that the time had arrived when it was necessary that the Government should adopt some decided course of proving to the people of the Province, as well as to those who might entertain the notion of invading it, that substantial provision had been made for protecting the former and repelling any attack that might be attempted.

It will be satisfactory to you to learn that the order calling out the force, was issued by telegraph from headquarters to the different stations, late in the afternoon of Wednesday, the 7th instant, and that by noon on Thursday, the 8th, answers had been received shewing that at that time about 8,000 men were mustered and prepared to move on any points where they might be required.

I may also mention that offers of service continue to be received at headquarters to an extent far beyond the number of men required, and I have no doubt should the occasion unfortunately arise, the supply of Volunteers who would present themselves for the defence of the country, would be limited only by the numbers of the male population capable of bearing arms.

I have, &c.,
(Signed,) MONCK.

The Right Honorable
Edward Cardwell,
&c., &c., &c.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 17. MONTREAL, March 12th, 1866.

SIR,—With reference to my despatch No. 15, of the 9th instant, I have the honor to transmit for your information, a copy of the *Canada Gazette*, containing the orders which I issued, calling out ten thousand of the Volunteer Militia of the Province for active service.

I have, &c.,
(Signed,) MONCK.

The Right Honble.
Edward Cardwell,
&c., &c., &c.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 43. OTTAWA, June 1st, 1866.

SIR,—I have the honor to inform you that a body of six hundred Fenians entered this Province, this morning. They crossed the Niagara River at Black Rock, near Buffalo, in the State of New York, and established themselves in the village of Fort Erie, in Canada. I am now occupied in taking measures for meeting the emergency.

I have, &c.,
(Signed,) MONCK.

Secretary of State,

Lord Monck Mr. Cardwell.

No. 45. OTTAWA, June 4th, 1866.

SIR,—Referring to my despatch (No. 43) of 1st June, I have the honor to state for your information, that the body of Fenian conspirators who crossed the frontier from Buffalo to

Fort Erie, on the morning of Friday June 1, proved to be between eight and nine hundred men, and seem to have been well armed.

I had previously had information that some such attempt would shortly be made, and a party of Volunteers had been stationed at Port Colborne, in anticipation of an attack. I have not yet had time to receive official accounts of the military operations, but from telegraphic reports which have reached me, I am able to give the following statement of what occurred, which I think may be considered authentic.

Immediately on the receipt of the intelligence of the invasion, Major General Napier pushed on, by rail to Chippewa, a force consisting of Artillery and regular troops, under Col. Peacocke, 16th Regt. Chippewa is about 19 miles from Fort Erie and there is no railway communication between the two places. On arriving at Chippewa, Col. Peacocke moved on in the direction of Fort Erie. On the morning of Saturday, June 2nd, the body of Volunteers stationed, as already mentioned, at Port Colborne, left that place by rail, which runs parallel to the shore of Lake Erie, and went in the direction of Fort Erie as far as a place called Ridgeway. Here they left the Railway and proceeded on foot, apparently with the intention of effecting a junction with Col. Peacocke and his force.

They came upon the Fenians encamped in the bush, and immediately attacked them, but were outnumbered and compelled to retire on Port Colborne. This occurred some time on Saturday, June 2.

Colonel Peacocke, in the meantime was advancing in the direction of Fort Erie from Chippewa, along the banks of the Niagara River, but was not able to reach the former place before nightfall.

The Fenians, however, did not await his arrival but re-crossed the river during the night, between the 2nd and 3rd instant, to the number of about seven hundred and fifty men, and, as appears from the accompanying telegram from Mr. Consul Hemans, marked No. 1, were immediately arrested by the authorities of the United States.

I am happy to be able to inform you that the officers of the United States Government appear to have exerted themselves to prevent any assistance being supplied to the invaders. I transmit copies of telegrams, marked respectively 2 and 3, received on this subject from the United States Consul Hemans.

We have sixty-five prisoners in our possession, who have been, by my direction, committed to the Common Gaol at Toronto to await trial.

I think it is creditable both to the Military and Militia authorities in Canada that they were in a position within 24 hours after the invasion of the Province at a point of the enemy's own selection, to place opposite to him such a force as compelled his precipitate retreat without even risking an engagement.

I shall not fail to send you more full particulars when I shall have received the official reports from the officers engaged, but the main facts are as I have stated them above.

I have, &c.,

(Signed,) MONCK.

The Right Honble.
Edward Cardwell,
&c, &c., &c.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 47. OTTAWA, June 8th, 1866.

SIR,—In continuance of the narrative contained in my despatch, No. 45, of the 4th June, I have the honor to report that no further invasion of Canadian territory has taken place on the part of the Fenians.

I am still without official reports of the proceedings at Fort Erie, but the circumstances of the last week have called so largely on the time of the military officers as to render correspondence very difficult.

I have no reason to doubt the substantial accuracy of the account which I sent you in my last despatch.

Immediately after the first news of the invasion reached me the whole Volunteer Force of the Province was placed on active duty.

I have the utmost satisfaction in reporting to you the admirable spirit in which the exigencies of the moment were met both by the administration and the population of the Province. The former placed unreservedly at my disposal for employment by the officers of Her Majesty's Forces the entire resources of the country. The latter responded instantaneously to the call to arms, and I am sure I do not exaggerate when I say that within twenty-four hours after the issue of the order 20,000 men were under arms, and that within forty-eight hours after the same time they in combination with the regular troops were disposed by the Lieutenant General commanding, in positions which rendered the Province secure from attack.

With the assistance of the officers and men of the ships of war now in the St. Lawrence, a flotilla of steamers has been chartered by the Provincial Government and fitted up as temporary gunboats for services both on the River St. Lawrence and the Lakes.

I am happy also to be in a position to inform you that the Government of the United States is exerting itself in an energetic manner to arrest the further progress of the Fenian movement within its territories.

I enclose a copy of a Proclamation which has been issued by the President, and of an order addressed by the Attorney General of the United States, desiring the arrest of all prominent persons connected with the conspiracy.

This latter has been acted on as I am informed, but not officially by the arrest of General Sweeney and by the stoppage on the railroads of members of the Fenian conspiracy who are proceeding north-wards.

Under the circumstances of our own complete state of preparation and of the steps which are being taken by the Government of the United States, I am persuaded that all real danger is at an end unless the force of Fenians assembled on the frontier should betake themselves to acts of plunder which I do not anticipate.

Parliament is to assemble this day and it is intended at once to suspend the Habeas Corpus Act and to extend to Lower Canada the Act at present in operation in Upper Canada (Consolidated Statuets, Upper Canada, c. 99) providing for the trial by Military Courts Martial of the prisoners.

I have, &c.,
(Signed) MONCK.

The Right Honorable
E. Cardwell,
&c., &c., &c.

No. 1. *Telegram from Buffalo to Lord Monck.*

June 3rd, 1866.

Whole Fenian force about eight hundred and fifty strong, evacuated Canada at three a. m. Seven hundred of them, with their leaders, lying at this moment in arrest under guns of *Michigan* war steamer.

H. W. HEMANS.

No. 2. *Telegram from Buffalo to Lord Monck.*

June 2nd, 1866.

Fenians broke up encampment at 2.30 a.m., and marched about four miles down river; said to be half starved and much demoralized; possession of six guns is undoubted. River patrolled all night by armed tug boats, chartered by United States Attorney. Several captures made, and no reinforcements believed to have crossed over. Have uniformly telegraphed to General Napier.

H. W. HEMANS,
British Consul.

No. 3. *Telegram from Buffalo to Lord Monck.*

3rd June, 1866.

Frontier from Erie to Oswego placed by General Grant in charge of General Barry, of United States Artillery, to-day. Thirteen companies, under his command, with power to add, according to emergencies. A Revenue cutter just arrived to patrol river. A British gunboat much wanted in those waters.

H. W. HEMANS.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 52. June 13th, 1866.

SIR,—I have the honor to transmit herewith for your information, a copy of a despatch which I addressed to Her Majesty's Minister at Washington, in reference to the Proclamation of the President of the United States, relative to the Fenian organization.

I have, &c.,

(Signed) MONCK.

To Secretary of State.

(Copy.) *Lord Monck to Sir F. Bruce.*

No. 52. OTTAWA, June 11th, 1866.

SIR,—I have learned from the public press, the terms of the Proclamation which the President of the United States of America has promulgated against the hostile designs of the Fenians on the Province, the Government of which I have the honor to administer. I have also, by the same means, been made acquainted with the orders issued by the Attorney General of the United States and other officers of the administration of that country for the apprehension of the persons of Fenian conspirators and the stoppage and seizure of arms and other supplies intended to be used by them against Canada. As these proceedings of the Government of the United States have materially tended to defeat the hostile purposes of the Fenians against this Province, I shall feel much obliged if you will convey to the Secretary of State for the United States my acknowledgments of the course which has been adopted by that Government in reference to this matter.

I have, &c.,

(Signed,) MONCK.

To Sir F. Bruce.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 53. OTTAWA, 14th June, 1866.

SIR,—I have the honor to transmit for your information, the reports to the Lieut.-General, commanding Her Majesty's Forces, of the several officers whose names are noted in the margin, relating to the proceedings connected with the late Fenian invasion at Fort Erie, C. W.

Lt.-General Michel, 8th June, 1866.
Col. Peacocke, 4th June.
Lt.-Col. Booker, 2nd June.
Lt.-Gen. Michel, 11th June.
Lt.-Col. Dennis, 4th June.
Captain Akens, 7th June.
Col. Lowry, 4th June.

I think these documents substantially corroborate the account which I gave you from telegraphic and other information in my despatches Nos. 43, 45 and 47 of the 1st, 4th, and 8th instant.

From all the information I have received, I am now satisfied that a very large and comprehensive plan of attack had been arranged by the party which is popularly known as the Sweeny-Roberts section of the Fenian brotherhood.

The plan of invasion, in addition to the attempt on the Niagara frontier—the only one which actually occurred—appears to have embraced attacks on the line of the Richelieu and Lake Champlain, and also on the Frontier in the neighborhood of Prescott and Cornwall, where I have reason to think the principal demonstration was intended.

For the latter object, large bodies of men sent by railroad from almost all parts of the United States, were assembled at a place called Malone in the State of New York, and at Potsdam, also in the State of New York, and with a view to the former, St. Albans and its neighbourhood in the State of Vermont was selected as the place of assemblage.

Large supplies of arms, accoutrements and ammunition were also attempted to be forwarded by railroad to these points, but owing to the active intervention of the authorities of the United States—as soon as it became apparent that a breach of international law had been committed by these persons—a very large portion of these supplies never reached their destination.

It is not easy to arrive at a trustworthy estimate of the number of men who actually arrived at their different points of rendezvous.

It has been reported at times that there were at Potsdam, Malone, and the intervening country, as many as ten thousand men, and similar rumours have been from time to time circulated of the force at St. Albans and its neighbourhood. From the best opinion I can form, however, I shall be inclined to think that the number of Fenians in the vicinity of St. Albans never exceeded two thousand men and that three thousand would be a fair allowance for those assembled at Potsdam, Malone, and the surrounding counties. The men have been represented to me as having, many of them, served in the late civil war in the United States—to have had a considerable amount of small arms of a good and efficient description. I have not heard of their possessing any artillery and I am informed that they were deficient in the supplies of ammunition and totally destitute of all the other equipments of an organized force. They appear to have relied very much on assistance from the inhabitants of the Province, as the force which invaded Fort Erie, brought with them—as I am told—a large quantity of spare arms to put into the hands of their sympathizers whom they expected to join them. I have in my former despatches noticed the measures which were adopted by the Provincial Government in order to place at the disposal of the Lieutenant General commanding Her Majesty's Forces, the Provincial resources available for defence both by land and water. The reports of the officers of the army and Volunteers, which I transmit, will acquaint you with the manner in which these means were used by the officers in command. I am happy to be able to bear my tribute to the energy and good faith exhibited by the American Government and its officials in checking all infractions of international obligations on the part of any portion of its citizens from the moment that it became evident that an invasion of the Province by the Fenians had actually taken place. The determination of the Government of the United States to stop the transportation of men and supplies to the places of assembly, rendered even the temporary success on the part of Fenians impossible; while the large forces which the Lieutenant-General commanding was able to concentrate at each of the points threatened, had the effect of deterring from an attack, the portion of the conspirators who had already arrived at their places of rendezvous—no invasion in force occurred except at Fort Erie—a slight incursion took place, at a place called St. Armand, about thirteen miles from St. Johns on the borders of the county of Missisquoi, which ended in the capture of about sixteen prisoners without any loss on our side. The latest accounts I have received announced that the men who had congregated at the different points of assembly were being transmitted to their homes at the expense of the Government of the United States, most of the leaders having been arrested and held to bail to answer for their conduct. Although I deplore the loss which the Volunteer Force suffered when engaged on the 2nd June at Limestone Ridge, amounting to six killed and thirty-one wounded I think it is matter for congratulation that a movement which might have been so formidable has collapsed with so small an amount of loss either of life or property. I think it is also a source of satisfaction that such strong proofs have been afforded of the spirit which animates the Canadian people, of their loyalty to the throne, of their appreciation of the free institutions under which they live, and of their readiness at all times to prove their sense of the value of those institutions by incurring expense and personal risk in the defence of them. The period of the year at which the people have been called on to make those sacrifices of

timely serving in the Volunteer Ranks has been the most inconvenient that could have been selected, yet I have never heard a murmur from any quarter at the necessity of suspending industrial occupation involving the risk of losing a whole year's production, while I have received information of a good deal of discontent on the part of those who were anxious to give their services, but whose presence in the Ranks was not considered necessary. I have to express my very high sense of the services performed by Lieutenant-General Sir J. Michel and the officers under his command, in the able disposition of troops, both Regulars and Volunteers. The officers of the Royal Navy stationed at Quebec and Montreal deserve the highest credit for the rapidity with which they extemporized gunboats for the defence of the St. Lawrence and the Lakes. I have already spoken of the admirable spirit displayed by the Volunteer Force, both officers and men. I have every reason to believe that their conduct as regards discipline and order has entitled them to as much commendation as does their spirit of patriotism and self reliance. I desire particularly to bring before your notice the ability and energy exhibited by Colonel McDougall, A. G. M., with a view to having his services specially mentioned to His Royal Highness, the Commander-in-Chief. This officer has not yet been one year in Canada, yet so admirable is the system of organization which he has established that he is able within a few hours to assemble on any given point over a line of more than 1000 miles, masses of Volunteers, who, at the time the order was given, were scattered over the country pursuing their ordinary avocations. While I attribute full credit of the excellent spirit of the people for its share in this effect, I think the administrative ability which has given practical operation to this good feeling of the population ought to have its meed of praise, and in the interests of the public service on some possible future emergency ought not to be left without official record. There are prisoners in our hands to the number of about one hundred and fifty—I have not yet received official returns of them—whose trial will be proceeded with at an early day. I confidently expect within a few days to be able to dismiss to their homes, the great majority of the Volunteers, and my firm conviction is, that this disturbance will produce beneficial effects by discrediting Fenian enterprises, exhibiting the futility of any attempt at invasion of the Province, and showing the absence of all disaffection amongst any portion of the people of Canada.

I have, &c.,

(Signed,) MONCK.

The Right Honorable
E. Cardwell.

Lord Monck to Mr. Cardwell.

No. 54. OTTAWA, June 14th, 1866.

SIR,—I have the honor to transmit for your information, copies in paraphrase of a telegram in cypher received by me from Sir F. Bruce, on the instant, and of my answers to him, (marked respectively A and B,) also a copy of a telegram which I despatched to Sir John Michel, immediately on the receipt of Sir F. Bruce's message, (marked C,) with reference to the portion of Mr. Seward's note to Sir F. Bruce, which alleges that British troops entered unwarrantably on the soil of the United States. I have the honor to transmit copies of reports from the officers whose names are noted in the margin, which negative—as far as these officers are concerned—the reports made on this subject to Maj.-Gen. Meade. You will observe from Lt.-Col. Earle's letter that further reports have been called for, and when I receive them I shall not fail to transmit copies to you. I have already sent copies of these reports to Sir F. Bruce.

Col. Burnbory.
Lt. Money.

I have, &c.,

(Signed,) MONCK.

The Rt. Honorable E. Cardwell.

Lord Monck to Mr. Cardwell.

No. 55. OTTAWA, June 14th, 1866.

SIR,—I have had the satisfaction in other communications, to report to you the excellent spirit evinced by the resident population of Canada, in connection with the late Fenian attack on the Province.

There has been, in addition, an exhibition of patriotism and devotion on the part of Canadians who happened to be domiciled at the time of the disturbance outside of the Province, which deserves, I think, special mention and praise.

Immediately after the news of the inroad on the Province reached Chicago, sixty young Canadians who were resident there, engaged in various employments, gave up their situations and repaired by railroad to Canada to give their aid in defending the land of their birth.

These young men have been formed into a Volunteer Company, and are now doing duty at Toronto.

I had also a communication from Her Majesty's Consul at New York, to the effect that a large number of Canadians, resident there, were prepared to abandon their occupations and come to assist in the repulse of the invaders of Canada, if I considered their services necessary.

I informed Mr. Archibald by telegraph that I did not require their aid, but begged him to express to them my gratitude for the exhibition of their loyalty.

Such conduct speaks for itself, and I would not weaken the effect of the bare relation of the facts by any attempt at eulogy on my part.

I have, &c.,
(Signed,) MONCK.

The Right Honorable
Edward Cardwell,
&c., &c., &c.

(Copy.) *Lord Monck to Mr. Cardwell.*

No. 64. OTTAWA, June 21st, 1866.

SIR,—I have the honor to report that the bands of Fenian conspirators, who were lately assembled on the United States side of the Frontier line, for the avowed purpose of invading this Province, have dispersed and returned to their homes.

I am bound, at the same time, to state that this comparatively bloodless termination of an enterprise which might have resulted in much loss of life and destruction of property, is mainly due to the energetic proceedings of the Government of the United States for the purpose of securing, on the part of the citizens of that country, a proper observance of their international obligations and their own municipal law.

I have already in more than one communication, noticed with approbation, the spirit evinced by the people of this Province, in the instantaneous and enthusiastic response which they made to my call to arms.

The experience of the last few months has satisfied me, that as regards Infantry, the local force of the Province, together with the ordinary garrison of regular troops, assisted by gunboats in the river and lakes, is sufficient to protect the country from any force which the Fenians can bring to bear on us.

I mean, however, to act on the permission given to me by Her Majesty's Government, to retain, at all events for a few months, the two Regiments, which, in the ordinary course of relief, would leave the Province at this season.

I desire, also, to bring before your notice the advisability of strengthening the force of Royal Artillery stationed in the Province, by three or four additional batteries.

This is the arm of the service in which it is most difficult for Volunteers to acquire proficiency, and it is also that in which our Fenian enemy is entirely deficient, and the possession of which would give us a preponderating advantage whenever we meet them.

I am also of opinion that a supply of Armstrong guns, both field and of position, should be sent to the Province; but on this branch of the subject and the general question of stores, I mean to avail myself of another opportunity of addressing you when I shall have obtained from the military authorities a return which I have asked for, of the amount of war materials now in store in the Province. Without venturing to give an opinion as to the probability that the Fenian invasion will be renewed, it would be unwise to disregard the continued allegations of the leaders of the movement that such will be the case, and it becomes those who are responsible for the safety of the Province to make their arrangements accordingly.

I have, &c.,

(Signed,) MONCK.

The Right Hon. E. Cardwell, M.P.

Lord Monck to Mr. Cardwell.

No. 66. OTTAWA, June 21st, 1866.

SIR,—I have the honor to transmit, for your information, an approved minute of the Executive Council of this Province, increasing the Volunteer Force to 35,000. men.

I have, &c.,

(Signed,) MONCK.

The Rt. Hon. E. Cardwell.

Lord Monck to Mr. Cardwell.

No. 67. OTTAWA, 22nd June, 1866.

SIR,—I have the honor to enclose, for your information, a copy of a despatch which I addressed on the 19th instant to Vice Admiral Sir J. Hope, asking him to send gunboats for the Lakes.

I have, &c.,

(Signed,) MONCK.

Lord Monck to Admiral Hope.

OTTAWA, June 19th, 1866.

SIR,—I have the honor to request that you will detach, if they can be spared from other duties, four gunboats, for service on the Lakes adjoining the Canadian frontier, in the event of any renewal of the late attack on this Province by the Fenian conspirators.

I have, &c.,

(Signed,) MONCK.

Vice Admiral
Sir J. Hope, G. C. B.

Lord Monck to Mr. Cardwell.

No. 70. OTTAWA, 28th June, 1866.

Lt.-Col. Earle to Col. Monck. 20 June, 1866.
Major Nixon.
Capt. Hollowes.
Capt. Macdougall.

SIR,—Referring to my despatch No. 54, of the 14th instant, I have the honor to transmit a copy of a letter from Lt.-Col. Earle, enclosing further Reports from military officers named in the margin, in regard to their proceedings on the frontier on the 9th and 10th instant.

I have, &c.,
(Signed,) MONCK.

Lord Monck to Mr. Cardwell.

(Separate.) OTTAWA, 28th June, 1866.

SIR,—I have the honor to enclose three copies of the "Official Gazette," of the 23rd instant, in which are published the reports of the military officers, forwarded to you with my despatch No. 53, of the 14th instant, respecting the Fenian inroad on the Niagara Frontier.

I have, &c.,
(Signed,) MONCK.

The Rt. Hon. E. Cardwell.

(Copy.) *Mr. Cardwell to Lord Monck.*

No. 33. DOWNING STREET, 31st March, 1866.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's despatch of the 9th of March, transmitting a copy of an approved minute of the Executive Council of Canada in which your Ministers signify their concurrence in the recommendation of the Minister of Militia for calling out a force of ten thousand Volunteers in consequence of the threatened raid of Fenian conspirators upon Canada.

Your Lordship also reports, in the same despatch, the alacrity with with this summons has been answered.

I have to signify to Your Lordship the unqualified gratification felt by Her Majesty's Government at the prompt and loyal spirit which the Volunteers of Canada have so signally manifested on this occasion.

I have, &c.
(Signed,) EDWARD CARDWELL.

Governor
Viscount Monck.
&c., &c., &c.

(Copy.) *Mr. Cardwell to Lord Monck.*

No. 56. DOWNING STREET, 16th June, 1866.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's despatch No. 43, of the 1st of June, informing me that a body of six hundred Fenians had crossed the Frontier and established themselves in the village of Fort Erie, in Canada.

I have, &c.,
(Signed,) EDWARD CARDWELL.

Viscount Monck.

(Copy.) *Mr. Cardwell to Lord Monck.*

No. 63. DOWNING STREET, 22nd June, 1866.

MY LORD,—I have the honor to acknowledge the receipt of your despatch No. 45, of the 4th June, respecting the attack recently made by a body of armed Fenians on the village of Fort Erie, in Canada West.

I have, &c.,
(Signed,) EDWARD CARDWELL.

Governor
Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Cardwell to Lord Monck.*

No. 65. DOWNING STREET, 23rd June, 1866.

MY LORD,—I have the honor to acknowledge the receipt of your despatch No. 46, dated the 6th instant, reporting that, at your request, the 2nd Battalion of the 17th Foot had left Halifax for Quebec.

I have, &c.,
(Signed,) EDWARD CARDWELL.

Viscount Monck,
&c., &c., &c.,

(Copy.) *Mr. Cardwell to Lord Monck.*

No. 67. DOWNING STREET, 23rd June, 1866.

MY LORD,—I have received, with great satisfaction, the intelligence conveyed to me by your despatch No. 47, of the 8th of June.

I do not doubt that the judicious preparations for defence, which were made by the Civil and Military authorities in Canada, will prove effectual in securing the Province against any further attack on the part of the Fenians, and I learn with great pleasure the admirable spirit displayed by the administration and people on this occasion, and the great zeal shown by the Volunteers in meeting with promptitude, the outrage committed upon the peaceful country of Canada.

I have communicated your despatch to the Earl of Clarendon, and I have no doubt that His Lordship will instruct Her Majesty's Minister at at Washington to express to Mr. Seward the gratification which Her Majesty's Government feel at the friendly and effectual co-operation of the Government of the United States in repressing these unjustifiable invasions of British Territory.

I have, &c.,
(Signed,) EDWARD CARDWELL.

Governor
Viscount Monck,
&c., &c., &c.

(Copy.) *Mr. Cardwell to Viscount Monck.*

No. 69. DOWNING STREET, 29th June, 1866.

MY LORD,—I have the honor to acknowledge the receipt of your despatch of the 14th instant, No. 54.

I approve the course pursued by Your Lordship, and am glad to find that the reports of the officers referred to, negative, as far as they are con[illegible] reports which had been made to Major General Meade.

I have, &c.,

(Signed,) EDWARD CARDWELL.

Governor
Viscount Monck,
&c., &c., &c.

(Copy.) *The Secretary of State for the Colonies to Lord Monck.*

No. 7.

DOWNING STREET, 11th July, 1866.

MY LORD,—I have the honor to acknowledge the receipt of your Lordship's despatch, No. 55, of the 14th June, in which you bring to my predecessor's notice the patriotism and devotion exhibited, during the late Fenian disturbances, by Canadians resident in Chicago, who, on hearing of the seizure of Fort Erie, gave up their various employments in order to return to Canada to offer their services for the defence of their country.

You also report that a large number of Canadians, resident in New York, expressed to you, through Her Majesty's Consul, their willingness to abandon their several occupations in that city to assist in the defence of Canada against Fenian attacks.

I cannot express to Your Lordship, too strongly, the high sense entertained by Her Majesty's Government of the spirit and loyalty thus evinced, and I trust that such patriotic conduct will go far to prevent the repetition of such criminal attempts as have recently been made at Fort Erie and St. Albans.

I have, &c.

(Signed,) CARNARVON.

Governor
The Right Honble.
Lord Monck;
&c; &c., &c.

(Copy.) *Lord Carnarvon to Lord Monck.*

Separate.

DOWNING STREET, 14th July, 1866.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's despatch marked separate, of the 28th June, enclosing the published reports of the military officers respecting the late Fenian raid on the Niagara Frontier.

(Signed,) CARNARVON.

Viscount Monck,
&c., &c., &c.

(Copy.) *Lord Carnarvon to Lord Monck.*

No. 18.

DOWNING STREET, 4th August, 1866.

MY LORD,—I have the honor to transmit to you, the copy of a letter from the Secretary of State for War, enclosing one written by the direction of His Royal Highness the Field Marshal Commanding in Chief, expressing his high appreciation of the gallant and energetic behaviour recently exhibited by the Militia and Volunteers of Canada.

I am desirous of adding that it is most gratifying to me to be the medium for making this communication to Your Lordship.

I have, &c.,
(Signed,) CARNARVON.

Governor
The Rt. Hon. Lord Monck,
&c., &c., &c.

(Copy.) *Sir E. Layard to Mr. Elliott.*

WAR OFFICE, 26th July, 1866.

SIR,—I am directed by Secretary Lieutenant General Peel to transmit to you, for the information of the Earl of Carnarvon, the enclosed copy of a letter which has been received from the Horse Guards, expressing the high appreciation by His Royal Highness the Field Marshal Commanding in Chief, of the gallant and energetic behaviour shown by the Volunteers and Militia of Canada on the occasion of the late Fenian attack upon that Province.

Lieutenant General Peel requests that Lord Carnarvon will communicate to the Governor General the sentiments expressed in this letter.

I have, &c.,
(Signed,) EDWARD LAYARD.

T. F. Elliott, Esqr.,
&c., &c., &c.

(Copy.) *Lieut.-General Forster to the Under Secretary of State for War.*

HORSE GUARDS, 21st July, 1866.

SIR,—With reference to the several Reports which have been received from the General Officer commanding in Canada, relative to the Fenian movement in that Province, and to the measures taken by the Colonists for repelling any Fenian attack, I am directed by the Field Marshal Commanding in Chief to request that you will acquaint the Secretary of State for War, that His Royal Highness having observed the alacrity, loyalty and zeal shown by the Volunteer and Militia Forces of Canada in having come forward for the defence of the Colony on the late trying occasion in support of the Troops, is very desirous of expressing to the Force his full appreciation of their gallant and energetic behaviour, and the very great gratification and satisfaction he has thereby experienced. And His Royal Highness trusts therefore that Lieutenant General Peel will see no objection to the necessary communication being made by him to the Colonial Office with a view to His Royal Highness' sentiments, as above expressed, being made known through the proper channel to the Volunteers and Militia of Canada, lately employed against the Fenians.

I have, &c.,
(Signed,) W. F. FORSTER.

The Under Secretary of
State for War.

(Copy.) *The Duke of Buckingham to Sir J. Michel.*

No. 16. DOWNING STREET, 5th April, 1867.

SIR,—I have received your despatch No. 41, of the 18th of March, on the question of withdrawing any of the Troops from North America.

I have forwarded your despatch to the Secretary of State for War, and I have offered my opinion that no reduction of the Queen's Troops should at present be made either in Canada or in New Brunswick.

I have, &c.,

(Signed,) BUCKINGHAM AND CHANDOS.

The Officer Administering
The Government of Canada.

7TH MARCH, 1866.

On a Report from the Minister of Militia recommending that in view of the probable invasion of marauders, calling themselves Fenians, a Force of Volunteer Militia be called out on actual service amounting to ten thousand men.

The Committee concur in the above recommendation, and submit the same for Your Excellency's approval.

The undersigned begs leave to recommend that in the view of the probable invasion of marauders, calling themselves Fenians, a force of Volunteer Militia be called out on actual service, amounting to ten thousand men.

(Signed,) JOHN A. MACDONALD.
March 7th, 1866.

(Signed,) A. J. Fergusson Blair,
President,

JUNE 2ND, 1866.

The Committee of Council have the honor to represent that since the Order in Council of 1st June, in reference to the calling out of a portion of the Volunteer Militia for active service in repelling inroads by armed Fenians, the several communications which they have received added to the fact of the collisions which have taken place between Her Majesty's forces and the Volunteers and the Fenians, render it imperative that further steps be taken for the defence of the Province, and they accordingly recommend that the whole of the Volunteer Militia force of the Province be immediately called out and placed at the disposal of the Lieut. General Commanding Her Majesty's Forces in British North America for such purpose.

They further respectfully recommend that with the view of making corps more immediately available, instructions be given to the Adjutant General of Militia to summon all corps to the Station of the Railway near to the Headquarters of each corps respectively, there to await such orders as may be given for their movement.

12TH JULY, 1866.

On a communication dated 12th instant, from the Honorable the Minister of Militia submitting a letter from Gilbert McMicken, Esquire, Police Magistrate, enclosing a schedule of claims made by parties who have suffered loss from the late hostile incursion into Upper Canada at Fort Erie, and stating that the account is moderate in extent, and seems to have been carefully enquired into by Mr. McMicken.

The Committee, on the recommendation of the Minister of Militia, advise that the sum of $6,939.18 be placed in the Supplementary Estimates to defray these claims.

The undersigned has the honor to submit for the consideration of Your Excellency in Council, a letter from Gilbert McMicken, Esq., Police Magistrate, enclosing a schedule of claims made by parties who have suffered loss from the late hostile incursion into Upper Canada at Fort Erie.

The account is moderate in extent, and seems to have been carefully enquired into by Mr. McMicken.

The undersigned begs leave to recommend that the sum of $6,939.18 be placed in the Supplementary Estimates to defray these claims.

(Signed,) JOHN A. MACDONALD.

Office of
Minister of Militia,
Ottawa, July 12th, 1866.

FORT ERIE, June 30th, 1866.

We, whose names are herewith subscribed, acknowledge that the sum set opposite our respective names, is a just and fair compensation for loss and damage sustained by us respectively, arising in any way out of, or being caused by the Fenian raid which took place in the Township of Bertie and Village of Fort Erie, on the morning of the first of June, instant, and that we will accept the said sums in full satisfaction of our respective claims.

No. of Claim.	Signature of Claimant.	Amount. $	cts.
10	his John x Linton mark	34	00
13	G. McM. Wm. H. Mitchell	176	55
9	George Nettle	113	50
51	John Miller	175	45
52	George Denier	44	65
48	Thomas Creese	30	00
49	Ezra F. Moore	20	00
25	B. M. Fisher	226	00
47	George Huffman	72	50
45	James McGreggor	18	45
38	Thos. Newbigging	141	50
27	James Harris	70	00
57	George Woelol	16	25
44	Idam Husley	42	00
53	Sarah Forsyth	50	00
50	John N. Auger	60	00
19	George Baker	132	00
23	Winford King	40	00
30	Philip Bennie	77	25
58	Mary Huffman	81	25
59	Anne McCarty	40	00
36	Hand W. Bowen	150	00
26	John Krupt	32	12
60	Jacob Zimmerman	60	00
61	Henry Switzer	81	25
62	Jacob Pringard	81	87
63	Jacob Tangen	16	75
64	Jacob Miller	10	42
65	D. Shisler	36	00
66	Edward Miller	14	00
67	Wm. R. Brach	155	50
14	Samuel Kraffe	101	00
68	Cranmer Risley	10	00
69	John Wintemute	16	50
70	James Baxter	30	00
71	Wm. Thompson	8	00
	Forward		

No. of Claim.	Signature of Claimant.	Amount. $	cts.
	Forward		
72	John Jackson	15	50
41	Francis Ellwood	24	00
4	Francis Ellwood	63	00
73	James Auger	14	00
74	Tobe Teal	6	50
80	Phebe Teal	30	00
46	Robert B. Wilson	33	13
75	Charles Jones	12	56
76	Ralph Dishor	25	00
78	Joseph Seal	20	00
28	his John x Anthony mark	30	00
29	his Joseph x Stephens mark	141	00
11	Ellen Cutter	168	12
31	John Douglas	901	66
54	Wm. Rainsford	12	36
94	Joseph Teal	50	00
5	William Russell	108	98
87	John Stockdale	126	00
95	Oriel Everitt	14	75
92	T. K. Hardison	38	25
104	T. K. Hardison	10	00
106	John Douglas	54	00
15	James J. Brown	96	75
7	C. F. McGreggor	186	00
93	B. McHoul	39	87
2	Richd. Graham, Agent	173	00
3	Richd. Graham, Agent	48	00
101	Gavin Nicholson	41	76
103	J. H. Allan, per G. N.	35	50
56	Henry Fitch	62	00
32	*Refuses to sign on account of horse not being allowed for.*	299	64
21	George Lewis	500	50
		$5,846	56

AUGUST 13TH, 1866.

The Committee have given their attentive consideration to Your Excellency's memorandum on the subject of the uneasiness prevailing in the western portion of the Province,

in consequence of the rumours existing of renewed attempts being made by the Fenians to invade this country. They have also considered the proposal conveyed through the Adjutant General of Militia for the formation of a Volunteer Camp, and concur in opinion with Your Excellency as to the advisability of carrying the plan proposed into immediate effect. They accordingly recommend that a Volunteer Camp of Exercise be formed in the Niagara District, somewhere in the neighborhood of the Falls.

That the Camp consist of one thousand to twelve hundred Volunteers, to be formed with as little delay as possible.

That the Camp be continued by reliefs until about the second week in October. Each relief to continue in Camp ten days.

That the non-commissioned officers and men be paid for their Camp duties the sum allotted for their sixteen days annual drill; and the Camp service to be in lieu of the annual drill.

The expense of proposed Volunteer Camp of Exercise, over and above the appropriated drill pay, is estimated by the Adjutant General as follows:

Transport of 10,000 Volunteers	$20,000
Pay and allowances of officers and non-commissioned officers	25,000
Rations of 10,000 men for 10 days,	25,000
Contingencies	10,000
	$80,000

The Governor General desires to call the attention of the Council to the rumours of a renewal of the Fenian invasion of the Province, which had reached him from various quarters, and to the steps which it is desirable to take in consequence of these reports.

From information which had reached the Governor General, it appears these rumours receive very extensive credit amongst the people, particularly in Western Canada, and are producing there a feeling of uneasiness and insecurity, which it is of great importance to allay.

The Governor General thinks that the plan suggested in the accompanying paper, if carried immediately into execution, would have the effect both of calming excitement amongst our own people, and making a demonstration which would exercise a deterrent influence on the minds of the Fenians.

He strongly recommends that the Council should at once put him in a position to adopt this measure.

Ottawa, August 11th, 1866.

Memorandum by the Adjutant General of Militia.

His Excellency the Commander-in-Chief thinks it expedient to form a Volunteer Camp of Exercise in the Niagara District, somewhere in the neighborhood of the "Falls."

The Camp to consist of one thousand to twelve hundred Volunteers, to be formed with as little delay as possible.

The Camp to be continued by reliefs until about the second week in October. Each relief to continue in Camp ten days.

The non-commissioned officers and men to be paid for their camp duties, the sum allotted for their sixteen days annual drill; and the Camp service to be in lieu of the annual drill.

The expenses additional to the yearly drill pay, which is already appropriated, will be generally as follows:—

1. Pay of Officers.
2. Transport of say 10,000 men from far and near to the camp.

3. Transport of tents and stores.
4. Pay of Commandant and Camp Staff, who should be regular officers of experience.

Whatever the cost, it might probably be justly viewed in the light of an insurance to ward off a much more serious outlay.

The establishment of such a Camp would be almost certain to prevent any hostile attempt on the Niagara District, supposing such to have been determined on.

If the wing of one of the regular Regiments were encamped at the same place, in conjunction with a field battery of regular artillery, the moral effect of the demonstration would be very great.

The Camp would afford the opportunity, so much needed by the officers, and particularly by the Battalion Staff Officers of Volunteers, to acquire practical experience of their duties.

And the benefit to the force, as regards drill and discipline, would be far greater than any which could accrue from the desultory yearly drills.

(Signed,) P. L. MACDOUGALL,
Colonel, A. G. M.

The Honble. the Minister of Militia.

Estimated expense of proposed Volunteer Camp of Exercise over and above the the appropriate drill pay.

Transport of 10,000 Volunteers,.....	$20,000.
Pay and allowance of Officers and N. C. Officers.....	25,000.
Rations of 10,000 men for 10 days.....	25,000.
Contingencies.....	10,000.
	$80,000.

(Signed,) P. L. MACDOUGALL,
Colonel, A. G. M.

Ottawa, August 11th, 1866.

21ST, AUGUST, 1866.

On a report dated 21st inst., from the Honorable the Minister of Militia, submitting a memorandum from the Adjutant General of Militia on the subject of the compensation by gratuity and pension to be allowed to the Militia men wounded or disabled, or who may be hereafter wounded or disabled, in encountering any hostile invasions of Canada, and to the Widows and children of those who have been killed in battle, or lost their lives from actual service in the field, which memorandum is accompanied by the scale allowed to Her Majesty's Regular Forces :

The Minister of Militia recommends that this scale so far as it applies to Commissioned Officers, their widows and children, be adopted, leaving it open to Your Excellency to consider the expediency of increasing such allowances under special circumstances.

That he considers the scale of compensation by gratuity or pension, as the case may be, for non-commissioned Officers and Privates in the Regular service is altogether too small.

That the Volunteers and Militia are taken from a class generally superior to that which form the great mass of the British Army, and are, in fact, from all ranks in life, and as a body receive higher wages or compensation for their services in civil life than the British soldier would do under similar circumstances. He therefore recommends that 50 per cent. be added to the scale suggested by the Adjutant General for the non-commissioned officers and privates, their widows and children ; reserving the right to Your Excellency to consider special cases.

That in the case of Ensign McEachern, who fell at Ridgeway, he recommends that in additon to the pensions to his widow and children, according to the proposed scale, a gratuity of four hundred dollars be given the former.

He submits that the gallantry displayed by this Officer, his early death, and the fact that he has left a widow and five children, of ages varying from three to twelve years, utterly unprovided for, seem to him, the Minister of Militia, as a sufficient justification for recommending the gratuity above mentioned.

The Committee submit the above several recommendations for Your Excellency's approval, it being understood however that all parties have the option of claiming pensions, under Statute 22 Victoria, Cap. 6., (Consolidated Statutes of Upper Canada) instead of under this order.

Memorandum by the Adjutant General of Militia.

The Adjutant General has the honor to annex the scale of gratuities and pensions allotted by Her Majesty's regulations to officers and men of the Regular Forces, who have been wounded in action with the enemy, as well as to the widows of officers who may have been either killed in action, or who may have died from the effects of wounds, or from illness contracted in the field.

Also a scale of pensions allotted to non-commissioned officers and men who may have been disabled by wounds, or by sickness contracted in the field.

And the Adjutant General has the honor to recommend that the same scale of gratuities and pensions may be adopted for the Militia or Volunteer Militia of Canada, and that the same rates of pension may be awarded to the widows of non-commissioned Officers and men killed in action as are allotted in the annexed scale to the Non-Commissioned officers and men themselves, who are entirely disabled by the effects of wounds or sickness contracted in the field, from earning a livelihood.

(Signed,) P. L. MacDougall,
Colonel,
Adjt.-Gen.-Militia.

Ottawa, August 18th, 1866.

The Honble.
The Minister of Militia,
&c., &c., &c.,
Ottawa.

The Minister of Militia has the honor to submit a memorandum from the Adjutant General of Militia on the subject of compensation by gratuity and pension to be allowed to the Militia men wounded or disabled, or who may be hereafter wounded or disabled in encountering any hostile invasions of Canada, and to the widows and children of those who have been killed in battle, or lost their lives from actual service in the field.

This memorandum is accompanied by the scale allowed to Her Majesty's Regular Forces.

The undersigned has the honor to recommend that this scale, so far it applies to commissioned officers, their widows and children, be adopted, leaving it open to Your Excellency to consider the expediency of increasing such allowances under special circumstances.

The undersigned considers that the scale of compensation by gratuity or pension, as the case may be, for Non-Commissioned officers and privates in the Regular Service is altogether too small.

The Volunteers and Militia are taken from a class generally superior to that which forms the great mass of the British Army, are in fact from all ranks in life, and as a body receive higher wages or compensation for their services in civil life than the British soldier would do under similar circumstances.

He therefore recommends that fifty per cent be added to the scale suggested by the Adjutant General for the Non-Commissioned officers and privates, their widows and children, reserving the right to Your Excellency to consider special cases.

In the case of Ensign McEachern, who fell at Ridgeway, he recommends that in addition to the pensions to his widow and children, according to the proposed scale a gratuity of four hundred dollars be given to the former.

The gallantry displayed by this officer, his early death and the fact that he has left a widow and five children, of ages varying from three to twelve years, utterly unprovided for, seem to the undersigned as a sufficient justification for recommending the gratuity above mentioned.

All of which is respectfuully submitted.

(Signed,) JOHN A. MACDONALD.

Rates of Gratuity and Conditions of Pensions to Officers for wounds received in Action.

Bodily injury, equivalent to loss of eye or limb.	One year's full pay of rank when wounded; in addition a pension to begin one year from date of wound.
Bodily injury, nearly but not quite equivalent to loss of eye or limb.	Gratuity of 18 months full pay—no pension.
Severe wound in action:	In consideration of expense attending cure from three to twelve months full pay—according to merits of case.

Rates of Pension.

RANK.	AMOUNT.
Lieutenant Colonel	$1200
Major	800
Captain	400
Assistant Adjutant General	
Deputy Assistant Adjutant General	
Major of Brigade	
Surgeon—Staff or Regimental	
Paymaster	
Lieutenant	280
Assistant Surgeon	
Cornet	200
Ensign	
Regimental Quarter Master	

SCALE OF PENSIONS to Widows of Officers if in reduced or needy circumstances.

RANK OF OFFICERS.	Special Pensions to Widows of Officers killed in action.	To each child of Officer killed in action.
	$ cts.	$ $
Lieutenant Colonels	800 00	72 to 100
Majors	480 00	64 " 80
Captains	250 00	48 " 64
Paymasters		
Lieutenants	240 00	32 " 56
Cornets		
Ensigns	184 00	32 " 56
Quarter-Master		
Staff Officers according to their last Regimental Commissions		

NOTE.—The allowances granted to the *sons of Officers* may be continued until they attain the *age* of *Eighteen*, or are otherwise previously provided for, and those to the *Daughters* may be continued until they *marry* or attain the *age* of *twenty-one*, whichever shall first happen and no longer.

SOLDIER'S PENSIONS.

RANK.	FIRST DEGREE. Men losing two limbs, or both eyes from wounds, or being so severely wounded as to be totally incapable of earning a livelihood, and to require the assistance and care of some other person.		SECOND DEGREE. Men rendered incapable of earning a livelihood, but not requiring the care of another person.		THIRD DEGREE. Men able to contribute in a small degree towards a livelihood.		FOURTH DEGREE. Men able to contribute materially towards a livelihood, although unfit for the ordinary duties of the service.	
	From	To	From	To	From	To	From	To
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Sergeant	0 50	0 70	0 40	0 60	0 30	0 40	0 20	0 30
Corporal	0 40	0 60	0 30	0 40	0 20	0 30	0 15	0 20
Private	0 30	0 40	0 20	0 30	0 15	0 20	0 10	0 15

(Signed,) P. L. MACDOUGALL,

Colonel, A. G. M.

OTTAWA, August 20th, 1866.

Memorandum.

The undersigned has the honor to report that clerical errors have been discovered in the list of the names of persons entitled to receive pensions and gratuities as awarded by the order in Council, dated 25th January, 1867, and as the same may lead to delays in making payments to the persons whose names are not correctly stated, but who are entitled to moneys therein awarded, the following alterations have been made and the accompanying printed list is a correct copy of the original list attached to the order in Council of 25th January, 1867.

No. 11. The payment for medical attendance is to Dr. Case, instead of Dr. Cahill.
No. 12. For "Queen's Own," read 13th Battalion.
No. 18. For private Charles Laysdill, read Charles Lugsden.
No. 25. For private Lavatt W. Smith, read Laratt W. Smith.
No. 21. For private Samuel McCeay, read Samuel McCeag.
No. 69. For private Richard Pattercost, read Richard Pentecost.
No. 53. For private Eden Forsyth, read Colin Forsyth.
No. 64. For private James Mitter Stuart, read James Miller Stuart.
No. 70. The payment for medical attendance is to Dr. Joy, instead of Dr. Jay.
No. 72. For private John Horbison, read John Harbison.
No. 73. For private Jordon Thomas, read Jordan Thomas.
No. 78. The payment for medical attendance is to Dr. Kincaid, instead of Dr. Kinnard.
No. 82. For private John Spieram, read John Spieran.
No. 83. For Lieut. John H. Stobo, read Robert H. Stobo. The payment for medical attendance is to Dr. Lapsley, instead of Dr. Langsley.
Nos. 84 & 86. The payment for medical attendance is to Dr. Lund, instead of Dr. Sewell.
No. 94. For Queenstown Company, read "Queen's Own."

Respectfully submitted,

W. Powell,
Lieut.-Colonel,
Dep. Adj. General Militia.

Hon. A. Campbell,
Minister of Militia,
Ottawa, Feb'y 28th, 1867.

Approved,
(Signed,) A. Campbell,
M. of M.

April, 30th 1867.

On a memorandum, dated 26th April, 1867, from the Hon. the acting Minister of Militia, submitting an accompanying abstract prepared by the Adjutant General of Militia, of supplementary claims on the part of Volunteers, (under authority of the order in Council of 21st August, 1866,) for pension or compensation on account of illness, or injury contracted on actual service during the late lawless invasion of this Province—and recommending that the several amounts specified in the said abstract for pensions, gratuities and Medical attendance, as set down opposite to the names of the claimants respectively be paid. The pensions amounting the first year to $558, and the amount for compensation and Medical attendance to $2,292.90.

The Committee advise that the abstract submitted, be approved and the amounts paid as specified therein.

Memorandum.

The Adjutant General of Militia has the honor to forward for the consideration of the Honorable the Minister of Militia, the accompanying supplementary abstract of claims on the part of Volunteers for pension or compensation on account of illness or injury contracted on actual service.

And to recommend respectfully that the same may receive the sanction of the Provincial Government.

(Signed,) P. L. MacDougall,
Colonel, A. G. M.

The Hon. Minister of Militia,
&c., &c., &c.,
Ottawa.

Montreal, April 20th, 1867.

Memorandum.

The undersigned has the honor to submit herewith the accompanying abstract prepared by the Adjutant General of Militia, of supplementary claims on the part of Volunteers (under authority of the Order in Council of 21st August, 1866,) for pension or compensation on account of illness or injury contracted on actual service, during the late lawless invasion of this Province; and recommending that the several amounts specified in the said abstract for pensions, gratuities and Medical attendance, as set down opposite to the names of the claimants respectively, may be paid.

The pensions amounting the first year to $558, and the amount for compensation and Medical attendance to $2,292 90.

Respectfully submitted and recommended.

(Signed,) A. Campbell,
M. of M.

Militia Department, Ottawa, April 26th, 1867.

ABSTRACT of Claims to Pension, &c.

No.	Corps.	Rank.	Names.	Report of Prin. Med. Officer.	Class.	Recommendations by the Adjutant General.
1	York Rifles	Private	Chas. T. Robertson	Permanently unfit for service or usual occupation.		Was recommended in the first summary of claims sanctioned by the Executive Council, for a pension of 20 cents a day from 1st July. This proves to be utterly insufficient. Recommended for a gratuity of $50, for a pension of $110 per annum from 1st July, 1866, and that $81 be paid on his account to the Imperial Purveyor's Department, for charges incurred while in Hospital.
2	Lucan Company	do	Thos. H. Hodgins	Died from disease contracted on service		Pension of $110 to widow, and of $27 to each of three children until they respectively attain the disqualifying age, from May 1st, 1867. Also, $32.50 for medical attendant.
3	Stratford Rifles	do	Samuel Gillespie	Sickness contracted on service		$80 for himself, to include all charges for nursing, &c.
4	Brockville Rifles	do	John Malvaney	Died from disease contracted at Camp at Cornwall		$20 to Dr. Johnson, Medical attendant.
5	Queen's Own Rifles	Corporal	John Connor	Died from disease contracted on service		Gratuity to his Father of $53.25 (representing 71 day's pay).
6	St. John's Troop of Cavalry	Trooper	A. E. Marchand	Fatal disease contracted on service		Was granted a pension of 35 cents a day. Has since died. Recommended that in place of the above pension the usual Widow's pension of $110 per annum be granted to his mother, Mary Connor, commencing from 17th February, 1867.
7	Prince of Wales' Regt.	Private	Robert Martin	Died from disease contracted on service		Gratuity of $50. Pension of $110, to commence 1st July, 1866. Medical expenses, $175 to Dr. Wight.
8	26th Middlesex	do	Wm. Newell	Unfit for usual occupation for six weeks		$110 per annum to be paid to his father. $50 to medical attendant, Dr. McCallum. Compensation 6 weeks, $33. Dr. Somerville, $10.

(Signed,) P L. MACDOUGALL,
Colonel, A. G. M.

MONTREAL, April 20, 1867.

ABSTRACT of Claims to Pensions, &c.

No.	Corps.	Rank.	Names.	Report of Prin. Med. Officer.	Class.	Recommendations by the Adjutant General.
1	Ottawa Battalion	Corporal	Maurice Flynn	Loss of time for 15 months from disease contracted on service		$250 as compensation, $47 Hospital expenses, $18 board, &c. Applicant to be examined at the end of 12 months.
2	16th Battalion	Private	Edwin Peterson	Loss of time for 42 days from disease contracted on service		Compensation, $31.50 (42 days at 75c).
3	do	do	George Tuttle	Died from disease contracted on service		$84 to his father, Thos. Tuttle, for maintenance. Medical account, $40.50.
4	do	do	John Tuttle	Loss of time for six months from disease contracted on service		Compensation, $110, Medical account, $33.50.
5	do	Sergeant	J. C. North	Loss of time, 6 weeks, from disease contracted on service		Compensation, $42 (42 days at $1 per day). Medical account, $13.25.
6	do	Private	Wellington Philips	Loss of time, 42 days, from disease contracted on service		Compensation, $31.50 (42 days at 75cts.) Medical account, $6.
7	do	Corporal	W. J. Hollingsworth	Loss of time, 42 days, from disease contracted on service		Compensation, $35.70 (42 days at 85 cts. per day). Medical attendance, $15.50.
8	do	Sergeant	W. H. Clapp	Loss of time, 197 days, from disease contracted on service		Compensation, $197 (197 days at $1 per day).
9	do	Private	James Handley	Loss of time, 42 days, from disease contracted on service		Compensation, $31.50 (42 days at 75cts.) Medical account, $8.75.
10	do	Corporal	James Minaker	Loss of time, 42 days, from disease contracted on service		Compensation, $35.70 (42 days at 85cts.) Medical account, $12.
11	do	Private	Christo. Goldsmith	Died from disease contracted on service		Compensation, $21 (loss of time from 18th June to 15th July), to his father, John J. Goldsmith. Medical acount, $25.50.
12	do	do	John Ackerman	Loss of time, 62 days, from disease contracted on service		Compensation, $46.50. (Loss of time from 19th June to 20th August). Medical account, $6.
13	do	Captain	M. Werden	Loss of time, 6 weeks, from disease contracted on service		Compensation, $100. Medical account, $24.50.
14	Victoria Rifles	Private	James Douglas	Loss of time, 2 months, from disease contracted on service		Compensation, $45, (two months at 75cts per day.) Expenses $80.

		do	John Ackerman	Loss of time, 62 days, from disease contracted on service		Compensation, $46.50. (Loss of time from 19th June to 20th August). Medical account, $6.
13	do	Captain	M. Werden	Loss of time, 6 weeks, from disease contracted on service		Compensation, $100. Medical account, $24.50.
14	Victoria Rifles	Private	James Douglas	Loss of time, 2 months, from disease contracted on service		Compensation, $45, (two months at 75cts per day.) Expenses $80. Medical account $10.
15	Stratford Rifles	do	Samuel Gillespie	Loss of time, 38 days, from disease contracted on service		Compensation $28.50 (38 days at 75cts.) Medical account, $30.
16	Drumbo Infantry Co.	do	John Cockburn	Loss of time, 40 days, from disease contracted on service		Compensation $30 (40 days at 75cts.) Medical attendance $30.
17	Royal Light Infantry	Corporal	Thos. McIntosh	Loss of time, 152 days, from disease contracted on service		$100. Payment in full of compensation.
18	Stratford Rifle Company	Bugler	John Dearlove	Loss of time, 49 days, from disease contracted on service		Compensation $36.75 (49 days at 75cts.)

(Signed,) P. L. MacDOUGALL,
Colonel, A. G. M.

Montreal, April 20th, 1867.

FEBRUARY 1st, 1868.

On the recommendation of the Honorable the Minister of Militia, dated 28th January, 1868, the Committee advise that the sum of two hundred dollars, ($200,) be paid to William H. Hurley, for losses sustained by him on Indian Island, (New Brunswick,) on the 26th April, 1866, by his property being burned by the Fenians, the said amount being already included in the Estimates of 1867-8, on which the vote of appropriation was based.

18TH MARCH, 1868.

The Committee have had before them the despatch, dated 22nd February, 1868, from His Grace the Secretary of State for the Colonies, respecting the expediency of dispensing this year with manning from vessels of war in the St. Lawrence, any steamers hired by the Canadian Government, and of decreasing the naval force in that River.

The Honorable the Minister of Militia reports that, as from information in the possession of the Canadian Government, it appears that the Fenian organization in the United States has not only not ceased to exist, but is being actively carried on, and that some future invasion of Canadian soil is contemplated by them, he does not consider that a reduction of the naval force in the St. Lawrence should at present take place; but he deems it necessary that the gunboats should, on the opening of the navigation, continue to be manned as heretofore.

The Committee concur in opinion with the Minister of Militia, and submit the same for Your Excellency's approval.

(Copy.)

OTTAWA, March 12th, 1868.

On the despatch of His Grace the Duke of Buckingham and Chandos, relative to the naval force on the North American Station, the undersigned has the honor to report, that, as from information in the possession of the Canadian Government, it appears that the Fenian organization in the United States has not only not ceased to exist, but is being actively carried on, and that some future invasion of the Canadian soil is contemplated by them, he does not consider that a reduction of the naval force on that Station should at present take place, but he deems it necessary that the gunboats should, on the opening of navigation, continue to be manned as heretofore.

(Signed,) GEO. ET. CARTIER.

The Duke of Buckingham to Viscount Monck.

(Copy.)

DOWNING STREET, 22nd February, 1868.

MY LORD,—I have the honor to transmit to Your Lordship, for your information, the enclosed copies of a letter from the Admiralty, and of the answer which I have caused to be returned to the same, on the question of the reduction of the force on the West Indian and North American command, and of dispensing this year with manning from vessels of war in the St. Lawrence any steamers hired by the Canadian Government.

You will perceive that I have not thought a reduction of the force on the Station advisable.

With respect to manning any steamers which mey be hired by the Canadian Government, and to the naval force in the St. Lawrence, I shall be glad to receive Your Lordship's opinion.

I have, &c.,

(Signed,) BUCKINGHAM & CHANDOS.

Governor,

The Right Honble. Viscount Monck.

(Copy.) *Lord Lennox to the Under Secretary of State, Colonial Office.*

Immediate. ADMIRALTY, 17th February, 1868.

SIR,—I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for the Colonies, that their Lordships have in contemplation a reduction of the ships on the North American and West Indian Station, and that they have grave doubts as to the necessity of sending a large Frigate and Corvette to the St. Lawrence, (as in the year 1866 and 1867) as well as to the expediency of sending crews from the former ship to man hired steamers for the Canadian Government.

My Lords desire me to request you will submit this question for the consideration of His Grace the Duke of Buckingham and Chandos, and if he is of opinion that the services of the Frigate can be spared, my Lords would order her back to this country; but they would be prepared to send a Ship of War to Montreal, if that course is still considered necessary for the ensuing year.

I have, &c.,
(Signed,) HENRY G. LENNOX.

The Under Secretary of State,
Colonial Office.

(Copy.) *Under Secretary of State, Colonial Office, to Secretary to Admiralty.*

DOWNING STREET, 22nd February, 1868.

SIR,—I am directed by the Duke of Buckingham and Chandos to acknowledge the receipt of your letter of the 17th instant, upon a reduction of the ships on the North American and West Indian Station, and as to the necessity of sending both a Frigate and a Corvette to the St. Lawrence, and also as to manning from the former ship steamers to be hired by the Canadian Government.

I am desired, in reply, to request that you will convey to the Lords Commissioners of the Admiralty, His Grace's opinion that there is not such a change in the state of affairs in North America as to justify a reduction of naval forces on that Station; but I am to state that His Grace will consult the Governor General of Canada, as to the necessity of manning gunboats on the opening of navigation.

I have, &c.,
(Signed,) F. ROGERS.

The Secretary
To the Admiralty,
&c., &c., &c.

(Copy.) *Lord Monck to Sir F. Bruce.*

His Excellency,
The Hon. Sir F. Bruce.

OTTAWA, 21st June, 1866.

SIR,—Referring to my letter of the 13th instant, I have the honor to transmit a copy of a letter from Lt.-Colonel Earle, enclosing further explanations from Major Nixon, of the Rifle Brigade, Captain Hallowes, 25th Regt., and Captain Mcdougall, commanding the Royal Guides, in regard to their proceedings at St. Armand, on the 9th and 10th instant.

I have, &c.,
(Signed,) MONCK.

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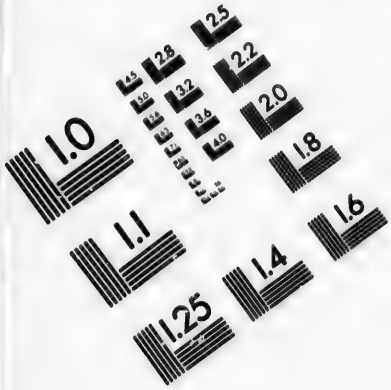

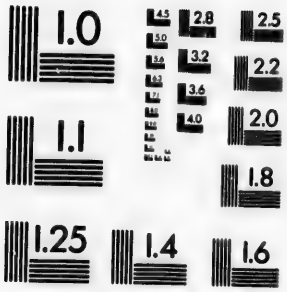

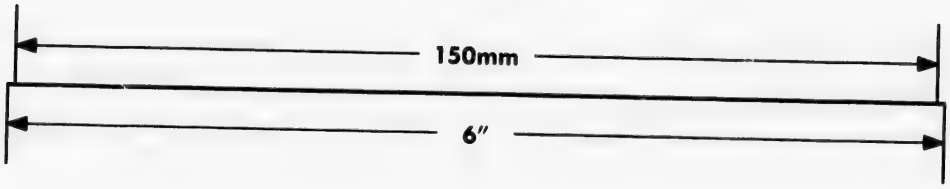

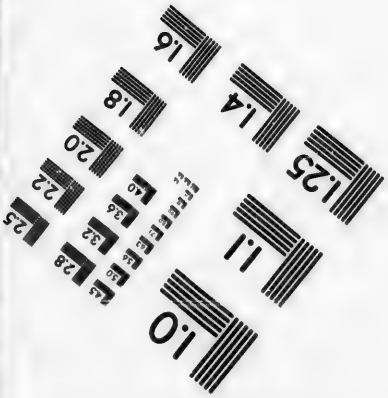

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17TH SEPTEMBER, 1866

The Hon. the Minister of Militia having reported that in consequence of the rumor prevailing of renewed attempts being made by the Fenians to invade this country, he is of opinion that it is desirable that a camp of exercise, similar to that now existing at Thorold should be established on the Lower Canada Frontier, on a site to be hereafter selected; the Committee submit their concurrence in that opinion, and accordingly advise:

That a Volunteer Camp be formed on the Lower Canada Frontier, on a site to be approved by Your Excellency, as Commander-in-Chief.

That the Camp consist of one thousand to twelve hundred Volunteers, to be formed with as little delay as possible.

That the Camp be continued by reliefs, until about the third week in October, each relief to be continued in Camp ten days.

That the Non-Commissioned officers and men be paid for their camp duties, the sum allotted for their sixteen days annual drill, and the camp service to be in lieu of the annual drill.

FEBRUARY 28th, 1867.

On a memorandum, dated 28th February, 1867, from the Deputy Adjutant General of Militia, U. C., reporting that clerical errors have been discovered in the list of the names of persons entitled to receive pensions and gratuities as awarded by the Order in Council, dated 25th January, 1867, and as the same may lead to delays in making payments to the persons whose names are not correctly stated, but who are entitled to money therein awarded, the following alterations have been made, viz:

No. 11.—The payment for medical attendance is to "Dr. Case," instead of "Dr. Cahill."
No. 12.—For "Queen's Own," read "13th Battalion."
No. 18.—For "private Charles Lugsdill," read "Charles Lugsden."
No. 21.—For "private Saml. McCeag," read "Samuel McCeag."
No. 25.—For "private Lavatt W. Smith," read "Laratt W. Smith."
No. 53.—For "private Eden Forsyth," read "Colin Forsyth."
No. 64.—For "private Jas. Mitter Stuart," read "Jas. Miller Stuart."
No. 69.—For "private Richd. Pattecort," read "Richard Pentecost."
No. 70.—The payment for medical attendance is to "Dr. Joy," instead "Dr. Jay."
No. 72.—For "private John Harlison," read "John Harbison."
No. 73.—For "private Jordon Thomas," read "Jordan Thomas."
No. 78.—The payment for medical attendance is to "Doctor Kincaid," instead of "Dr. Kinnaird."
No. 82.—For "private John Speiram," read "John Speiran."
No. 83.—For "Lieut. John H. Stobo," read "Robert H. Stobo."
The payment for medical attendance is to "Doctor Lapsley," instead of "Dr. Langsley."
No. 84 & 86.—The payment for medical attendance is to "Doctor Lund," instead of "Doctor Sewell."
No. 94.—For "Queenstown Company," read "Queen's Own."

The Committee, on the recommendation of the Honorable the Acting Minister of Militia, advise that the above corrections be made in the list approved by Your Excellency in Council on 25th January, 1867.

Lord Monck to Sir F. Bruce.

(Copy.)

OTTAWA, 13th June, 1866.

SIR,—I have the honor to transmit for communication to the Secretary of State of the United States, copies of a letter and enclosures from the Military Secretary to the Lieut.

General Commanding, from which it appears that no portion of our troops, so far as is known to the Officers whose reports I enclose, entered upon the United States territory without the express permission of the Officers of the United States Army in charge at the different points, nor were any prisoners made by our forces on the soil of the United States.

You will observe that further reports on the subjects have been called for from other Officers, copies of which I will transmit to you as soon as I shall have received them.

I have, &c.,

(Signed,) MONCK.

His Excellency Sir F. Bruce.

(Copy.) *Earl Granville to Sir John Young.*

Canada.—No. 72. DOWNING STREET, 23rd April, 1869.

SIR,—I have the honor to transmit to you, for your consideration, and for that of your responsible advisers, a copy of a despatch which has been received through the Foreign Office from Her Majesty's Minister at Washington, enclosing a petition from Mr. John Shiels, a citizen of the United States, residing in the State of Maine, praying for compensation on account of the losses he sustained through the burning of a store on Indian Island, in New Brunswick, by a band of Fenians on the night of April 20th, 1866.

I have, &c.,

(Signed,) (For Earl Granville,)

FREDERICK ROGERS.

Governor General, the Right Honorable
Sir J. Young, Bart, G.C.B.,
&c., &c., &c.

Mr. Thornton to the Earl of Clarendon.

WASHINGTON, March 15th, 1869.

MY LORD,—I have the honor to transmit herewith, copies of a letter which I have received from Mr. Murray, Her Majesty's Consul at Portland, enclosing a petition from Mr. John Shiels, a citizen of the United States, residing at Eastport, in the State of Maine, praying that he may be indemnified for losses sustained by him from the burning of a store on the night of April 20th, 1866, by a band of Fenians who crossed over from Eastport to Indian Island, in the Province of New Brunswick for that purpose.

I know nothing more of this case than what is furnished by Mr. Murray, nor have I any means of obtaining further information upon the subject.

I have, &c.,

(Signed,) E. THORNTON.

The Earl of Clarendon, K. G.,
&c., &c., &c.

(Copy.) *Mr. Consul Murray to Mr. Thornton.*

BRITISH CONSULATE,
Portland, March 11th, 1869.

SIR,—I have the honor to forward to you the accompanying petition from Mr. John Shiels, a citizen of the United States, residing at Eastport, Maine, to be indemnified for losses sustained by him from the burning of a store on the night of the 20th of April, 1866,

by a band of Fenians, who crossed over from Eastport to Indian Island, in the Province of New Brunswick, for that purpose.

The value of the property consumed according to the enclosed schedule, is stated to be $2,315 25, United States currency, and consisted principally of spirits. Mr. Shiels gives us a reason for having delayed forwarding this petition until now, that as the store belonged to a British subject, Mr. H. Horton of St. John, N. B., he had sent his claim for compensation to him to be presented to the proper authorities, but that either through "the neglect of the said H. Horton, or his Attorneys, the said claim was never presented, or brought before the notice of the British Government, which fact your petitioner has only recently become acquainted with."

In support of this claim Mr. John Bolton, Member of the Dominion Parliament, writes to Mr. Vice Consul Ker, "that he has every reason to believe the claim is a just one, and I shall be glad to know that you can assist Mr. Shiels in presenting his claim through the proper channel."

Mr. Vice Consul Ker, himself states:—"From what I know of Mr. Shiels, I do not think he would put in a claim for losses he had not sustained, and I have no doubt but that he had a quantity of goods destroyed by the fire referred to, and I have no reason to doubt the veracity of the persons whose affidavits he refers to in his petition."

This petition of Mr. Shiels was presented to me some days ago by Mr. Bion Bradbury a well known politician here, and who is greatly interested in affairs at Eastport; but it having been reported to me that Mr. Shiels had shown strong Fenian proclivities at that time and place, I thought it proper to write to Mr. Vice Consul Ker for information upon this subject. Mr. Ker replies, in a letter which I have the honor to transmit, that it was a nephew of Mr. Shiels' who was the person alluded to by my informant.

I have, &c., (Signed,) HENRY JOHN MURRAY.

E. Thornton, Esquire, C. B., Consul.
&c., &c., &c.

SCHEDULE A.

AMOUNT of loss sustained by John Shiels, by the burning of Mr. Robert Burns' Store on Indian Island, on the night of 20th April, 1866.

	N. B. Currency.			
2 Casks Alcohol	400	00		
Expense do	4	00		
1 Cask B. Whiskey	384	00		
1 Cask H. Gin, 92 gallons	184	00		
½ Cask Gin, 38 do	76	00		
1 Cask Gin, Baston, 110 gallons	220	00		
½ Cask Brandy, 34 do	144	00		
4 Cases Gin	36	00		
2 Cases Brandy	26	00		
11 Oil Barrels	16	50		
160 Fish Barrels	169	00		
Stock for 50 or 60 more	30	00		
283 Fish Boxes 4	11	32		
9 Casks to Salt Fish in	13	00		
17 Tubs do do	17	00		
6 Brass Fawcets	12	00		
Cooper Tools	40	00		
Pump and Messures	8	00		
11,000 H. Sticks	44	00		
Counter, Scale and other things	25	00		
$35 money in drawer at the time	35	00		
2 Half Chests of Tea	53	00		
1 Box Tobacco	69	60		
29 Gallons S. Whiskey	87	00		
¼ Cask Port Wine	115	50		
			2,315	52
Loss 25 per cent for N. B. Currency			578	88
			1,736	64
			English Money.	

(Copy.)

Your petitioner, John Shiels, of Eastport in the County of Washington and State of Maine, respectfully represents, that in the spring of the year, 1866, he occupied a store on Indian Island, in the Province of New Brunswick, belonging to Henry Horton of St. John, New Brunswick, as a wholesale Liquor and Grocery Store, Fish Store and Cooperage, and had in said store a stock of liquors, groceries and other articles appertaining to his business.

That on the night of the 20th day of April, A. D., 1866, a band of Fenians who had their headquarters in Eastport, in the State of Maine, landed at said Indian Island and set fire to the store of Robert Burns of said Eastport, which store was adjacent to the store occupied by your petitioner, and the flames communicating from the said store of Robert Burns to the store occupied by your petitioner, the latter, with its contents belonging to your petitioner was destroyed.

That at the time of the destruction of said store there was therein a stock of liquors, groceries and cooper's stock belonging to your petitioner which was entirely destroyed by said fire, a schedule of the amount and value of which is hereto annexed, marked A to which reference may be made.

And your petitioner further says, that shortly after the destruction of his goods as aforesaid, he sent his claim for damages, to the said Henry Horton, to be presented by him to the proper authorities, but that either through the neglect of the said Henry Horton or his Attorneys, the said claim was never presented or brought before the notice of the British Government, which fact your petitioner has only recently become acquainted with.

And your petitioner in support of his said claim, begs leave to call your attention to the affidavits hereunto annexed.

Wherefore your petitioner prays that an investigation may be made into his claim, and for such relief as may be deemed just and equitable in the premises.

(Signed,) JOHN SHIELS.

Eastport, Maine, Feb. 1st, 1869.

(Copy.)

I, William H. Furley of Indian Island, in the County of Charlotte and British Province of New Brunswick, Clerk, having been first duly sworn, do upon oath depose and say, that I am thirty-nine years of age, and that I acted as Clerk for John Shiels at the store occupied by him on said Indian Island, from the month of July, A. D., 1865, to the 20th day of April, A. D., 1866.

That on the night of the said 20th day of April, A. D., 1866, said store being then owned by one Henry Horton of St. John, New Brunswick, and occupied by the said John Shiels as a wholesale liquor store, grocery, fish Store and cooperage, was destroyed by fire, the flames having communicated from the store of Robert Burns, which was set on fire by a band of Fenians who made their headquarters at Eastport, Maine.

That this deponent has carefully examined the schedule annexed to the petition of the said John Shiels for reimbursement and that according to his best knowledge and belief, the articles set forth in said schedule were in said store at the time it was destroyed by fire as aforesaid, and were destroyed in said fire, and that the prices annexed to said articles were fair and just prices, in the currency of the United States of America, of said articles at the time of their destruction.

The knowledge of this deponent is derived from the fact that he had charge of said store, kept the key thereof, and was in said store every day up to the time when the same was destroyed.

(Signed,) WILLIAM H. HURLEY,

State of Maine,
County of Washington,
February 1, A. D., 1869.

Subscribed and sworn before me,

(Signed,) JOHN H. FRENCH,
Justice of the Peace.

I, John Ray, of Indian Island in the County of Charlotte and British Province of New Brunswick, having been first duly sworn, do upon oath depose and say, that I am 50 years of age; that about the month of July, A. D. 1865, I acted as Agent of Hy. Horton, of St. John, New Brunswick, in letting his store, situated on said Indian Island, to John Shiels, of Eastport in the State of Maine, who occupied and used said store as a wholesale liquor and grocery store, fish store and cooperage. That said store, belonging to said Horton, and its contents belonging to said Shiels, were destroyed by fire on the night of the twentieth day of April, A. D. 1866, the flames having communicated from the store of Robert Burns, which was set on fire by a band of Fenians, who made their headquarters at said Eastport.

That I was in the habit of going into said store frequently, and was in said store a day or two before it was burnt; that I have examined the schedule marked A, annexed to the petition of the said John Shiels, and according to the best of my recollection and judgment, said articles were in said store the last time I was in said store, and their value was as therein stated. Of most of the articles set forth in said schedule, I have a distinct recollection upon reading said schedule over.

(Signed,) JOHN RAY.

State of Maine,
County of Washington,
February 1, A. D. 1869

Subscribed and sworn to before me,

(Signed,) JOHN H. FRENCH.
Justice of the Peace.

(Copy.) *Francis Clare Ford to Lord Monck.*

WASHINGTON, 26th Decr., 1867.

MY LORD,—I have the honor to transmit herewith, for Your Lordship's information, copy of a despatch that has reached me this day from Her Majesty's acting Consul at Chicago, relative to certain contemplated insurrectionary movements on the part of Fenians.

I have, &c.,
(Signed.) FRANCIS CLARE FORD.

His Excellency
The Viscount Monck,
&c, &c., &c.

(Copy.) *Mr. Wilkins to Mr. Ford.*

BRITISH CONSULATE,
Chicago, 21st December, 1867.

SIR,—I have the honor to report that a Mr. Peter J. Goss, a native of Montreal, but of Irish parentage, who has been for some time past residing in Chicago, has called upon me and stated that there exists in the large cities of the West, a large number of Fenians, whose aims are being directed to a raid upon Canada, so soon as the ice will permit a large body of men to cross the river St. Lawrence.

Their determination is to release the Fenian prisoners at Kingston as soon as possible, at all events to effect that object by the 22nd February next. The place of attack is not yet determined upon, but the intention is to cross somewhere between Gananoque and Matilda, probably in separate bodies; to attain this purpose, arms are being collected at Malone (New York), where already they have a large quantity, to which continual additions are being made, and the probability is that they aim at the destruction of the Grand Trunk Railroad, and the Canals below Prescott.

My informant represents that most liberal offers have been made to him to join the Fenian party, and act as a travelling agent through Canada, with abundant means at his command, to secure the co-operation there of parties favorable to the movement, and a handsome remuneration, personally, for his services; he states that the principal movers in this plot are men of large means and influence; that he refused to join the party solely on account of their designs upon an inoffensive neighboring country, that his object in conveying to me this information, is alone caused by the desire to save the effusion of blood, and not with the hope or expectation of reward, his only stipulation being that I should be careful that none of the party here should know that he had betrayed their confidence.

Mr. Goss seems fully to believe that an attempt in the manner stated will be made on Canada, and has promised to convey any further information which he may receive on this subject, either to me or to Her Majesty's Consul at New Orleans, at which place he stated it was his intention to spend the balance of the winter.

I have, &c.,
(Signed,) FRANCIS WILKINS.

Francis Clare Ford, Esq.

(Copy.) *Lord Monck to Mr. Ford.*

OTTAWA, January 3rd, 1868.

SIR,—I have the honor to acknowledge, with thanks, the receipt of your despatch of Decr. 26th, transmitting a copy of a letter from Mr. Consul Wilkins, of Chicago, respecting an attack on Canada, alleged to be contemplated by Fenian conspirators.

I have, &c.,
(Signed,) MONCK.

F. Clare Ford, Esq.,
Washington.

ANNO VICESIMO OCTAVO VICTORIÆ REGINÆ.

CAP. I.

An Act for the prevention and repression of outrages in violation of the Peace on the frontier of this Province, and for other purposes.

[*Assented to February*, 1865.]

Preamble.

WHEREAS it is expedient to provide for the due security of the Peace and tranquillity of this Province by temporary enactment: Therefore, Her Majesty by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Power to Governor to order aliens to depart this Province.

1. When and so often as the Governor of this Province shall have reason to believe from information given to him or to the Secretary of the Province, in writing, by any person subscribing his or her name and address thereto, that for the preservation of the peace and tranquility of this Province, it is expedient to remove therefrom any alien or aliens who may be in this Province, or who may hereafter arrive therein, it shall be lawful for the Governor by order under his hand to be published in the *Canada Gazette*, to direct that any such alien or aliens, who may be within this Province, or who may hereafter arrive therein, shall depart this Province, within a time limited in such order; and, if any such alien shall knowingly and wilfully

If aliens wilfully refuse to obey such or-

der, they may be committed to gaol, until taken in charge for the purpose of being sent out of the Province.

refuse or neglect to pay due obedience to such order, or shall be found in this Province, contrary to such order, after such publication thereof as aforesaid, and after the expiration of the time limited in such order, it shall be lawful for the Governor or for any Justice of the Peace, to cause every such alien to be arrested and to be committed to the common gaol of the county, district or place where he or she shall be so arrested, there to remain, without bail or mainprize, until he or she shall be taken in charge for the purpose of being sent out of the Province, under the authority hereinafter given.

Penalty on aliens disobeying such order.

2. Every such alien so knowingly and wilfully refusing or neglecting to pay due obedience to any such order as aforesaid, shall be guilty of a misdemeanor, and being convicted thereof, shall, at the discretion of the court, be adjudged to suffer imprisonment for any term, not exceeding one month for the first offence and not exceeding twelve months for the second and any subsequent offence.

Aliens on neglecting to obey order may be given in charge by warrant of Governor to be conveyed out of the Province.

3. It shall be lawful for the Governor in any case in which any alien shall be found in this Province after the expiration of the time limited in such order, and whether he or she shall or shall not have been arrested or committed for refusal or neglect to obey such order, or convicted of such refusal or neglect, and either before or after such alien shall have suffered the punishment inflicted for the same, by warrant under his hand and seal, to give such alien in charge to any person or persons to whom he shall think proper to direct such warrant in order to such alien being conveyed out of the Province, and such alien shall be so conveyed accordingly; Provided always that in case such alien shall be taken in charge as aforesaid, after the close of the navigation of the River Saint Lawrence in the winter, and before its opening in the spring, then, and in any such case the said alien may, should the Governor see fit, be detained in safe custody until one month after the opening of such navigation; And provided further, that where such alien (not having been convicted as aforesaid) shall allege any excuse for not complying with such order, or any reason why the same should not be enforced, or why further time should be allowed him or her for complying therewith, it shall be lawful for the Governor in Council, to judge of the sufficiency of such excuse or reason, and to allow or disallow the same either absolutely or on such condition as he shall think fit; and where such alien shall be in custody under such warrant of the Governor, the person in whose custody he or she shall be, forthwith upon it being signified to him that such excuse or reason is alleged by such alien, shall make known the same to the Governor, who, upon receiving such notification, or in any case in which he shall be informed that any such excuse or reason is alleged by or on behalf of any alien to quit the Province, shall forthwith suspend the execution of such Warrant until the matter can be enquired into and determined by the Governor in Council; and such alien, if in custody under such warrant, shall remain it such custody, or if not in custody, may be given in charge by any such Warrant as aforesaid, and shall remain in custody until the determination thereon shall be made known, unless in the meantime the Governor shall consent to or the Governor in Council shall make order for the release of such alien, either with or without security; Provided always, that the Governor shall cause to be delivered to such alien, in writing, a general summary of the matters alleged against him or her, and shall allow him or her reasonable time to prepare his or her defence; and it shall be lawful for him or her to summon and examine upon oath witnesses before the said Governor in Council, and to be heard before them by himself or herself, or his or her Counsel, in support of the excuse or reason by him or her alleged.

If in the winter season.

Where any alien shall allege any excuse for not complying with order, Governor in Council to judge of sufficiency of the same.

Governor shall cause a summary of matters alleged against alien to be delivered to him, &c.

Judges may admit aliens to Bail in all cases if they see sufficient cause.

4. In every case in which power is given by this Act to commit any alien to Gaol without Bail or Mainprize, it shall be lawful for any Justice of any of Her Majesty's Superior Courts in this Province, if upon application made he shall see sufficient cause to admit such person to bail, he or she

giving sufficient security for his or her appearance to answer the matters alleged against him or her.

Where alien shall not have been sent out of the Province within certain period after commitment, Judges, &c., empowered, where application has been made, to continue in or discharge such alien out of custody.

5. Where any alien who shall have been committed under this Act to remain until he or she shall be taken in charge for the purpose of being sent out of the Province, shall not be sent out of the Province within one month after such commitment, or when taken in charge after the closing of the navigation of the river St. Lawrence as aforesaid then within one month after the opening of such navigation, it shall in every such case be lawful for any of the Justices of any of Her Majesty's Superior Courts in this Province or for any Police Magistrate or any Recorder of a City, or for any two of Her Majesty's Justices of the Peace in any part of the Province, or for any Judge of the Sessions of the Peace in Lower Canada, upon application made to him or them by or on behalf of the person so committed, and upon proof made to him or them that reasonable notice of the intention to make such application had been given to the Governor, according to his or their discretion, to order the person so committed to be continued in or discharged out of custody.

6. Nothing in the preceding clauses of this Act shall affect any alien, under the age of fourteen years, or who shall have been residing within this Province for five years next before the passing of this Act.

Punishment for setting on foot or aiding or assisting an expedition against a Friendly Power.

7. If any person shall within this Province begin or set on foot, or provide or prepare the means for, or shall within this Province engage, aid or assist, or procure another person or other persons to engage, aid or assist in the beginning or setting on foot, or in the providing or preparing the means for, any military expedition, raid or enterprise, to be carried on from thence against the territory or dominions of any Foreign State, or against the lives, liberties or properties of any one or more of the inhabitants of any territory or dominions of any Foreign State, with whom Her Majesty is at peace, every person so offending shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in a sum not exceeding three thousand dollars, and imprisoned for a term not exceeding three years.

Vessels armed for hostilities against a Friendly Power or arms, &c., may be seized.

8. It shall be lawful for any Justice of the Peace upon request in writing of the Attorney General or Solicitor General of Upper Canada, or of any County Attorney in Upper Canada, or of the Attorney General or Solicitor General of Lower Canada, in Lower Canada, (or for any Recorder of a City or Police Magistrate in this Province, or for any Judge of the Sessions of the Peace in Lower Canada, without such request,) to cause to be seized and detained any vessel manifestly built or arranged or fitted out for warlike purposes and about to depart this Province, of which the cargo shall principally consist of arms or munitions of war, when the number of men shipped on board or other circumstances, shall render it probable that such vessel is intended to be employed to cruise or commit hostilities upon the subjects, citizens or property of any Foreign State with which Her Majesty is at peace, and also to cause to be seized and detained any vessel or any arms or munitions of war, which may be provided or prepared for any military expedition, raid or enterprise against the territory or dominions of any Foreign State with which Her Majesty is at peace, and to retain possession of the same until the decision of the Governor be had thereon, or until the same shall be released as hereinafter directed.

Sheriffs, &c., required to seize any vessel, &c., and arms, &c., about to pass the frontier of Canada for any place within a Foreign State, where there is

9. Any Sheriff, Collector of Customs, County Attorney, Police Magistrate, or Recorder of a City in this Province, any Judge of the Sessions of the Peace in Lower Canada, or any Field Officer or Captain of Her Majesty's Service, or any Field Officer or Captain of the Volunteer Militia Force, or of the Service Militia (such Field Officer or Captain of the Volunteer Militia Force or of the Service Militia being at the time on Actual Service,) or any other person specially empowered for the purpose by the Governor, shall be and he is hereby authorized and required to seize or cause to be seized any vessel or vehicle, and all arms or munitions of war about to pass the frontier of this Province for any place within any Foreign State, where the character

probable cause to believe that said vessel, &c., and arms, &c. are intended to be employed in carrying on a military expedition against any Foreign State, at Peace with Her Majesty, and detain such vessel, &c.,

of the vessel or vehicle and the quantity of arms and munitions of war or other circumstances shall furnish probable cause to believe that the said vessel or vehicle, arms or munitions of war, are intended to be employed by the owner or owners thereof, or any other person or persons, in carrying on any military expedition, raid, enterprise or operations, within the territory or dominions of any Foreign State with whom Her Majesty is at peace, and detain the same until the decision of the Governor be had for the restoration of the same, or until such property shall be discharged by the judgment of a Court of competent jurisdiction; provided that in case such seizure shall be made by a Police Magistrate, Recorder of a City or Judge of the Sessions of the Peace, he shall, with due diligence, issue his warrant to justify the detention of the property so seized, on an oath or affirmation in the manner required by the next section of this Act.

Proviso.

Officer making such seizures shall apply to Superior or County Judges, &c., for a warrant to be granted on oath, &c., to justify the detention of the property seized.

10. It shall be the duty of any Officer, other than a Police Magistrate, Recorder of a City in this Province, or Judge of the Sessions of the Peace in Lower Canada, making any seizure under the ninth section of this Act, to make application with due diligence to any one of the Justices of any of the Superior Courts of this Province, or to any Police Magistrate or to the Judge of the County Court of the County in which such seizure may be made, or to the Recorder of any City, in which the seizure may be made, or to any Judge of the Sessions of the Peace in Lower Canada, for a warrant to justify the detention of the property so seized, which warrant shall be granted only on oath or affirmation shewing that there is probable cause for believing that the property so seized is intended to be used in a manner contrary to the provisions of this Act, and if no such warrant shall be issued within ten days after any such seizure, the said property shall be restored to the owner, but if such warrant shall be issued, then the property seized shall be detained by the officer until the Governor shall order it to be restored, or until discharged by due course of law.

Owner of property seized may file his petition to Superior or County Courts, &c., where seizure made; and power given to Courts to try cases, &c.

11. The owner or claimant of any property seized under the eighth and ninth sections of this Act in Upper Canada, may file his petition, setting forth the facts of the case, in any of the Superior Courts in Upper Canada, or in the County Court of the County in which such seizure was made; and the owner or claimant of any property seized under the said sections in Lower Canada may file his petition in the Superior Court or Circuit Court of Lower Canada, setting forth the facts of the case, and thereupon such Court shall proceed with all convenient despatch, after causing due notice to be given to the officer making such seizure, to decide upon the said case, and order restoration of the property, unless it shall appear that the seizure was authorized by this Act; and the Superior, Circuit and County Courts shall have jurisdiction, and are hereby vested with full power and authority to try and determine all cases which may arise under the said sections of this Act; and in Upper Canada all issues of fact, arising under it shall be decided by a Jury, in the manner now provided by law.

Whenever the officer, shall have obtained a warrant for the detention of property seized, or the claimant shall not have obtained its restoration by petition, claimant may file a bond, &c.

Proviso.

12. Whenever the officer making any seizure under the ninth clause of this Act shall have applied for and obtained a warrant for the detention of the property, or the claimant shall have filed a petition for its restoration and failed to obtain it, it shall and may lawful for the claimant or owner to file with the officer a bond to the amount of double the value of the property so seized and detained, with at least two sureties, to be approved by the judge granting the warrant or refusing restoration, with a condition that the property when restored shall not be used or employed by the owner or owners thereof, or by any other person or persons with his or their privity, in carrying on any such military expedition, raid, enterprise or operations as aforesaid, and thereupon the said officer, so detaining the said property, shall restore the same to the owner or claimant thus giving bond; Provided that such restoration shall not prevent seizure from being again made, in case there may

exist fresh cause to apprehend a new violation of any of the provisions of this Act.

13. It shall not be necessary to lay the venue inany prosecution under this Act in the County or District where the offence was committed, but the information may be laid and the offence may be tried in any County or District in this Province.

Venue may be laid in any County or District.

14. It shall be lawful for any Justice of the Peace upon request in writing of the Attorney General or Solicitor General of Upper Canada, or of any County Attorney in Upper Canada, or of the Attorney General or Solicitor General of Lower Canada, or for any Judge of the Sessions of the Peace in Lower Canada, or for any Recorder of a City or Police Magistrate in this Province, without such request and upon information upon oath of one or more credible witness or witnesses, that he or they believe that any arms or munitions of war are, for the purpose of being employed in any military expedition, raid, enterprise or hostile operations beyond the frontier of this Province, or for any purpose dangerous to the public peace within this Province, in the possession of any person or persons, or in any house or place, or that any person or persons is or are concerned or engaged in the manufacture of any arms or munitions of war, to issue his warrant to any Constable or other Peace Officer to search for and seize such arms or munitions of war, in the possession of any such person or in any such house or place; and it shall be lawful for any such Constable or other Peace Officer, acting under any such warrant or any other person or persons in his or their aid or assistance, to search for and seize any such arms, or munitions of war being in the possession of any such person, or in any such house or place as aforesaid; and in case admission into such house or place shall be refused or not obtained within a reasonable time after it shall have been demanded, to enter by force, by day or by night, into every such house or place whatsoever, and to detain or cause to be detained in safe custody, in such place as the said Justice of the Peace or other Officer by whom such warrant was granted shall appoint and direct, the arms or munitions of war found and seized as aforesaid, unless the owner thereof shall prove to the satisfaction of such Justice, or officer by whom such warrant was granted that such arms or munitions of war were not kept for any or either of the purposes aforesaid.

Justices, &c. may issue warrants for searching for and seizing arms or munitions of war about to be employed in any military operation, &c.

Proceedings in case admission is refused.

15. It shall be lawful for any person from whom any such arms or munitions of war shall be so taken as last aforesaid, in case the Justice of the Peace or Officer upon whose Warrant the same shall have been taken, shall, upon application made for that purpose, refuse to restore the same, to apply by petition for the restoration of the same in the manner hereinbefore provided in the eleventh Section of this Act, and the Court in which any such petition has been filed, or any Judge thereof, shall make such order for the restoration or safe custody of such arms or munitions of war, as shall upon such petition appear to be proper.

Appeal to Court for restoration of same.

16. Nothing in this Act shall be construed to interfere with any law in force in this Province respecting the *Writ of Habeas Corpus*.

This Act not to interfere with *Habeas Corpus*.

17. The word "arms," shall be held to mean and include any weapon or weapons or portions of any weapon or weapons or arms, and any thing necessary for the ordinary use and any ordinary or necessary appendage of any weapon or weapons or arms, or munitions of war or for the carriage or transport of any weapon or weapons or arms or munitions of war.

Interpretation of word "arms."

18. The word "munitions of war" shall be held to mean as well any weapon or weapons or arms, and any portion or portions of any weapon or weapons or arms, and any thing necessary for the ordinary use and any ordinary or necessary appendage of any weapon or weapons or arms, or for the carriage or transport of any weapon or weapons or arms or munitions of war, as also all ammunition and substances employed in the manufacture or composition of ammunition, gunpowder, shot, shell or materials for encasing the same or forming ingredients thereof, or used therewith, and all or any inflammatory,

Interpretation of words "munitions of war."

combustible or explosive article or articles, substance or substances, and all or any inflammatory combustible or explosive missiles or machines, and all or any thing or things necessary or requisite for the use, and any ordinary or necessary appendages of any arms or munitions of war.

19. This Act shall continue in force for one year from the passing thereof, and until the end of the then next Session of Parliament. Duration Act

or
or
or

c- Duration Act